SECTION 4.

City of Lafayette Staff Report

For:	City Council/Redevelopment Agency Board
By:	Niroop K. Srivatsa
Date Written:	April 7, 2009
Meeting Date:	April 13, 2009
Subject:	**Planning Commission Comments on the Draft Downtown Strategy and Specific Plan**

Attached is a table summarizing the Planning Commission's comments on the draft Downtown Strategy and Specific Plan. Also attached are the following documents:

1. An amended vision statement prepared by a Commission subcommittee and approved by the Commission
2. A memo and map containing recommendations on height, density and setbacks prepared by a Commission subcommittee and approved by the Commission
3. Written comments from Commissioners Ateljevich, Maggio and Mitchell
4. Minutes of the December 4th, February 19th and March 5th meetings. (The minutes of the March 19th and April 2nd meetings are not yet available.)

The summary table that staff prepared has been reviewed by Chair Lovitt and Vice Chair Chastain. Given the Council meeting deadline, the full Commission has not had a chance to review the table.

No.	Page	Issue	What the draft Plan says	PC Comments	PC Recommendation to the City Council
1.	N/A	The process		It has been difficult reviewing the Plan without knowing what the other Commissions and the Downtown Advisory Committee have said and the changes they are recommending. It is the Commission's understanding that after the City Council has two joint meetings with the Commissions and Committees in April and May, the consultants will amend the draft Plan to incorporate the City Council's decisions.	The amended draft Plan should be reviewed by the Planning Commission prior to the preparation of the draft EIR. It is also recommended that the Planning Commission be involved in scoping the EIR.
2.	N/A	The document		The document is difficult to read because it does not contain all the information in one place. One has to read several chapters before understanding what is being proposed. The Plan lacks specificity In terms of providing direction to the zoning ordinance regarding the land uses in each proposed district. The draft Plan should be more analytical, less of a narrative. Everything that one needs to know about an issue should be in one place. It needs to provide more specificity. It should follow the format of the General Plan with the land use chapter should be placed first.	Reformat the document. Provide more specificity and direction.
3.	1-1, 3-1	Community Vision Statement	Refer to community vision statement on Pages 1-1 and 3-1	The Planning Commission had developed an amended vision statement which provides clarity and	Approve the attached amended vision statement.

No.	Page	Issue	What the draft Plan says	PC Comments	PC Recommendation to the City Council
				linkage with the general plan, existing downtown specific plans and the draft Lafayette Downtown Strategy and Specific Plan (attached)	It is also recommended that each of the chapters in the Strategy be reviewed against the amended vision to ensure consistency
4.	9-6, 9-7	Recommended Regulatory Changes: Previous Specific Plans	Existing 3 specific plans superceded by the Strategy. Relevant aspects incorporated into the Strategy, outdated recommendations eliminated	The Commission needs more information about what has been included and what has been eliminated from the 3 existing specific plans	Retain the 3 specific plans until the information is provided and analyzed
5.	9-6, 9-7	Recommended Regulatory Changes: Land Use Designations	Creation of 7 districts to replace General Plan districts	What is the purpose of these districts? Are they conceptual, descriptive districts or land use designations? Will the zoning be changed within each district?	Retain General Plan land use districts
6.	9-6, 9-7	Recommended Regulatory Changes: Senior Housing	Establish land use designation with 1 parking space/5 du	City is already working on an overlay zone	Delete
7.	9-6, 9-7	Recommended Regulatory Changes: RB &SRB zones	Combine districts per General Plan recommendation. Modified to strengthen the Downtown as an active mixed use zone	Clarify what is meant by "Modified to strengthen the Downtown as an active mixed use zone"?	Support General Plan recomemndation
8.	9-6, 9-7	Recommended Regulatory Changes: Open Space in Commercial Developments	Allow transfer of open space requirement into a fund to be used for capital open space projects	Support this concept as long as it is not allowed by right	Support this concept as long as it is not allowed by right
9.	9-6, 9-7	Recommended Regulatory Changes: Parking Requirements & Visitor Parking	Revise code to reflect reduced parking requirements based on specific plan districts (page 6-10)	Cannot support this concept because data to prove that reduced parking will work has not been provided.	Retain existing parking requirements. Support the construction of a parking garage. Address the need to provide long term parking for employees

No.	Page	Issue	What the draft Plan says	PC Comments	PC Recommendation to the City Council
10.	9-6, 9-7	Recommended Regulatory Changes: Height and Setbacks	Refer to page 9-7	The Commission has prepared an amended height, density and setback map and memo describing the rationale for the recommendations (attached). The areas designated C1, C2 and E in the attached map are critical and important areas to get right and the Commission thinks these areas require additional study to ensure that the conditions conform to the PC recommendations. Further analysis is needed of the northeast corner of Mt Diablo and Happy Valley Rd -- the Wells Fargo site as well as the site labeled "E" -- to determine impacts on community character, traffic and (for E) potential "soundwall" impacts at an important entry to downtown from northern neighborhoods.	Forward the map and memo to WRT and direct WRT to study these areas in depth before any changes are made.
11.	9-6, 9-7	Recommended Regulatory Changes: Front Setbacks	Refer to page 9-7	Retain current zoning setbacks	Retain current zoning setbacks
12.	9-6, 9-7	Recommended Regulatory Changes: Side Yard Setbacks	Refer to page 9-7	Support this change	Support WRT's proposal
13.	9-6, 9-7	Recommended Regulatory Changes: Building Height Definition	Height measured from the average of the highest and lowest grade EACH foundation wall or the average of the highest and lowest grade of all 4 foundation walls	Retain existing height definition	Retain existing height definition

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14.	9-6, 9-7	Recommended Regulatory Changes: Floor Area Ratio (FAR)	Eliminate FAR caps	The Commission was evenly split (2-2) on this issue. Some felt that the issue has not been studied in depth	The Commission was evenly split (2-2) on this issue.
15.	N/A	MRT zone on Dewing Avenue	N/A	Change zoning to MRO and extend south to Chestnut Street to reflect existing uses and pattern of development	Change zoning to MRO and extend south to Chestnut Street
16.	Thru'out	Safeway/Albertson's Block	As shown, this block is split between the Downtown Retail District and the Downtown Civic and Cultural District	Extend the Downtown Retail District east to include this entire block	Refers only to the north side of Mt. Diablo Blvd.
17.	5-1, 5-3	Land Use Vision		If the Plan is implemented, how accessible and useful will the downtown be for those residents who live outside the Downtown? Should the land use vision include a statement that the Downtown is also for those residing outside its boundaries?	This issue parked for future discussion on March 19th was not resolved due to time constraints
18.	5-3	Downtown Land Use Strategy		What is the purpose of these districts?	In the bulleted points, change "districts" to "nodes"
19.	5-4	Second bulleted point on top of page	Ensure that land use and development regulations do not unintentionally impede desired outcomes including supporting local small businesses	Sentence is confusing	Rewrite as "Promote and support local small businesses."
20.	5-4	New Land Use Designations map		How does this map relate to the Downtown Districts map?	Don't understand the correlation between the two maps
21.	5-7	2nd column, 2nd para, last sentence		Delete "greatest"	Delete "greatest"
22.	5-7	2nd column, 3rd para, 1st sentence		Consultant does not understand the nature of our community. Do not promote housing over retail as a	Delete sentence.

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				prescriptive solution to mixed use. It is not the only way to achieve mixed use.	
23.	5-8	Policy 1.1	Introduce and promote building typologies that allow higher densities while maintaining the character of the existing residential neighborhood.	Add "within existing zoning" at the end of the sentence.	Add "within existing zoning" at the end of the sentence. Refer to PC's recommendations for density.
24.	5-8	Action 1.1.1		Delete. Confusing	Delete
25.	5-8	Action 1.1.2	Promote the addition of second units or "in law" units within the Downtown Residential District	Rewrite as "Promote the addition of second units or "in law" units to small cottages within the Downtown Residential District."	Rewrite as "Promote the addition of second units or "in law" units to small cottages within the Downtown Residential District."
26.	Thru'out	Uses	Plan does not provide direction on the types of uses within each District.	Distinguish between (pedestrian) retail and commercial uses.	Distinguish between (pedestrian) retail and commercial uses.
27.	5-14	Gateway District	Reference to providing uses with a regional draw and those complementary to the high school	Cannot support uses with a regional draw	Delete the last two sentences in the first paragraph
28.	5-16	Mixed Use	Mixed use refers to a type of development that combines one or more uses in a single building or on a site in an integrated development project with significant functional interrelationships and a coherent functional design	Redo definition of mixed use. See Item 22 above. Mixed use also refers to a combination of uses within a node or district.	Redo definition of mixed use
29.	5-17	Bulleted points in second column	Reference to reduced parking ratios and increase in densities	Refer to earlier PC recommendations regarding parking and densities	Delete 2nd and 3rd points
30.	5-18	Transit Oriented Development	Section titled "Transit Oriented Development"	The importance of BART to downtown Lafayette is overplayed throughout the Plan. As of now, the PC is not convinced that people will come to downtown Lafayette to shop in such numbers as the plan envisions. It will not increase commerce as the Plan suggests	Rename section "Development around BART".
31.	5-19	Policy 4.1	Statement that increasing densities	Delete "and easing growth pressures on	Delete "and easing growth pressures on

No.	Page	Issue	What the draft Plan says	PC Comments	PC Recommendation to the City Council
			around BART will reduce growth pressures in outlying areas	outlying areas." in the first paragraph under this policy. This is not a true statement.	outlying areas." in the first paragraph under this policy.
32.	5-19	Action 4.4.1	Encourage automobile service uses to locate in the East End and Gateway Districts	Delete "and Gateway District."	Delete "and Gateway District."
33.	5-20	2nd column, top para	Statement that increasing the number of housing units in the Downtown will reduce growth pressures in hillside areas	Delete "urban" from first sentence. Delete second sentence.	Delete "urban" from first sentence. Delete second sentence.
34.	5-21	Action 5.3.1	Consider up zoning allowable densities for rental apartment housing as an affordable housing strategy	Cannot support this concept.	Delete "consider upzoning allowable densities for rental apartment sites as an affordable housing strategy."
35.	5-23	Locally-owned small business retention and attraction		Entire section needs to be rewritten because it does not have clear goals and policies	Rewrite section
36.	9-10 to 9-15	Opportunity Sites		These examples are more appropriate in an EIR than in a specific plan	If they are to be retained, clearly identify that these are illustrative examples and not actual development plans
37.	6-1	Circulation Chapter	Moraga Road	Ways to improve the traffic flow on Moraga Road need to be studied	Study the option of adding center turn lanes on Moraga Road to improve traffic flow
38.	4-1	Sustainability Chapter		Language is boiler plate	Redraft to be more relevant to Lafayette

Planning Commission's Amended Vision Statement for the Downtown Strategy and Specific Plan.

Planning Commissioners Jeanne Ateljevich, Patricia Curtin-Tinley and Karen Maggio met on Thursday, March 12, 2009, 4PM at Lafayette City offices to:

Review Lafayette vision statements for clarity and linkage with the general plan, downtown specific plans and the draft Lafayette Downtown Strategy and Specific Plan. Lafayette character attributes, values and "uniqueness" were discussed. Pertinent planning documents were referenced:

1. Lafayette General Plan
2. Shield Block Specific Plan
3. BART Block Specific Plan
4. Draft Downtown Strategy and Specific Plan
5. Downtown Strategy Committee notes 11/25/08

The subcommittee boiled down what they felt was the essence of Lafayette that has held true since the City's inception as well as those values and attributes most necessary to guide its future.

General Plan Guiding Principles

- Preserve and enhance the character of Lafayette as a semi-rural community.
- Create and maintain a strong sense of community.
- Protect the natural and scenic quality of our surrounding hillsides and ridgelines, creek areas, trees and other vegetation.
- Encourage the involvement of citizen volunteers in land use and policy planning.

Proposed Vision Statement

To create a downtown with a **small town character** and **sustainable quality of life** which includes a central core, pedestrian relationships between services, a place where residents can congregate, shop, enjoy cultural activities, conduct their civic affairs and savor the beauty and ambiance of a small town.

Encourage the evolution of a **distinctive Lafayette** character that is informal with variations in architectural styles, massing and setbacks while maintaining public sight lines to surrounding hills and maximizing the use of natural resources.

Reinforce **Downtown as the City's center** for business, civic and cultural activities with land use policies that retain the focus on the downtown as a retail center and multi-family residential neighborhood.

Respectfully submitted by:
Karen Maggio

March 24, 2009

Planning Commission Downtown Specific Plan Review

Report from the Building Height and Density Subcommittee
Commissioners Ateljevich and Chastain

The attached map reflects the results of our downtown survey looking at the issues of building height and residential density. Our process was to review areas of density and height change as proposed in the Downtown Specific Plan in relationship to protected views, topography, site conditions, existing uses, and infrastructure.

1) First, in general, we think that densities of 65 DUs/acre will greatly impact the the town, potentially changing its character. Therefore, we recommend eliminating them from the Plan. We show one area of 45 DUs/acre that is adjacent to the BART station. All other proposed districts are of 35 DUs/acre. We find the differing ways of describing height (stories for residential, feet for mixed-use) to be confusing and recommend describing all heights in feet.

2) At the Gateway District, we recommend a 25' (2 story) overlay at the 'Hungry Hunter' site as well as on properties to the west of Pleasant Hill Road. Our thinking is to keep the scale of these properties low as part of the transition into the downtown area as well as to promote the continued use of the 'Hungry Hunter' site as a restaurant. We have also changed the properties adjacent to the Lafayette Park Hotel from the proposed 42.5'/45 DUs/Acre to 35'/35 DUs/Acre in keeping with the transition view of this district.

3) At the East End District, we recommend changing the proposed 42.5'/65 DUs/Acre area adjacent to Highway 24 back to 35'/35 DUs/Acre. This area's topography rises in relationship to Highway 24 and we feel the proposed added height would impact views from Mt. Diablo Blvd.

4) At the Brown Avenue district, we recommend applying the 25' (2 story) overlay on this neighborhood as a way of maintaining the character of this district.

5) At the Downtown Civic and Cultural District, we recommend changing the proposed 42.5'/45 DUs/Acre to 35'/35 DUs/Acre along the north side of Mt. Diablo Blvd. Our thinking is that the large retail block between First St and Oak Hill Rd (i.e. Safeway/Whole foods block) has two protected views across its extent, therefore we feel the 35' height limit should remain. With this height limit in place, the continuation of the 35' limit west along the north side of the street seems appropriate. To the south of the Mt. Diablo Blvd, we are recommending an area of 43'/35 DUs/Acre on blocks east of the library and bounded between Mt. Diablo Blvd and Golden Gateway, with the condition that along Mt. Diablo Blvd, the building height to be limited to 35' to correspond to the other side of the street. We feel the topology in this part of the town lends itself to the additional height and also see these blocks as a real opportunity for development. In the area south of Golden Gateway, we recommend keeping the

35'/35 DUs/Acre rather increasing it to the proposed 42.5'/45 DUs/Acre because of its relationship to residential neighborhood beyond.

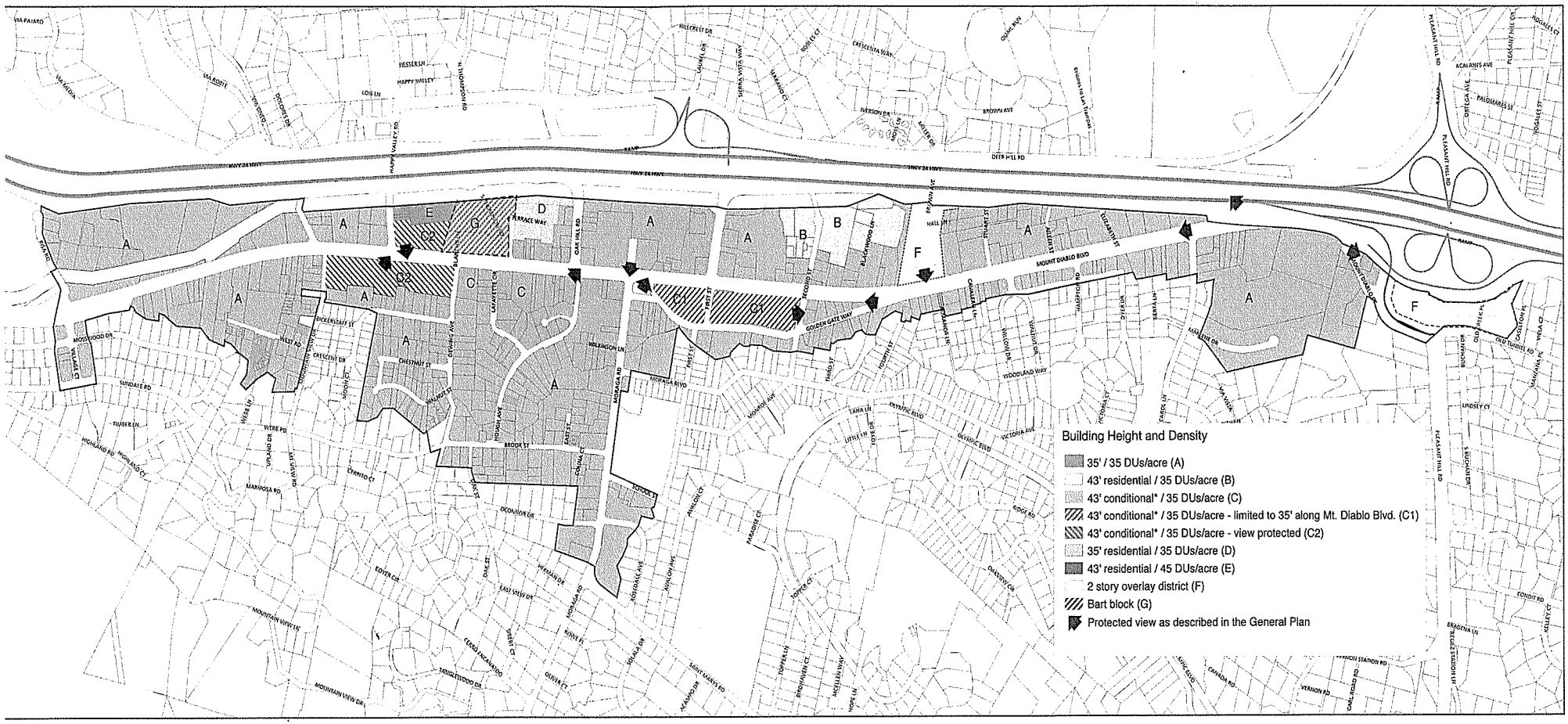
There is an existing residential neighborhood in this district up against Highway 24 and organized around Second St. We think the traffic infrastructure in this area is minimal and cannot support the proposed density of 65 DUs/acre. At the same time, we the think the added height in this area is fine and would promote, over time, the development of larger units. Therefore, we are recommending a residential area with limits of 43'/35 DUs/ Acre.

6) The Downtown Retail District is the prime retail setting of the downtown and our thinking is that the standards there should support the development of high-quality retailing. The 43' building limit is set to allow a taller first floor as part of this standard. We also feel that any residential development should be changed from the proposed 45 DUs/Acre back to 35 DUs/Acre to avoid any undue impact on the retail activity. These limits extend on the south side of Mt. Diablo Blvd from Moraga Blvd to Dewing Ave and on the north side from Oak Hill Rd to the BART block. We are also recommending these limits in the Shield Block, recognizing the potential as well as the need for development in this area. It is important to understand that the 43' building height is conditional, with the expectation that the design of any development in these areas is constrained by a third story step-back (we recommend a 8'-10' setback from front face of building), by building setbacks, by open space requirements, by height variation, as well as the design featuring the implementation of court yards, paseos, and non-stucco siding materials. Further west, we are recommending additional areas of 43'/35 DUs/Acre limits, but with the added condition that any development in these areas must protect the views as described in the General Plan.

We are also recommending residential height limits in two areas currently proposed as 4-story residential. The first area, organized around Terrace Way, is situated on a hill that rises above Highway 24. For this reason, we think that limits of 35'/35 DUs/Acre should be applied. The other area of residential development is along the BART station, off Happy Valley Road. Grade is considerably lower than Highway 24 at this location and this, along with being set back from Mt. Diablo Blvd, makes the 43' height appropriate. We also believe this is a site for more density and are recommending limits of 43'/45 DUs/Acre.

7) In the Downtown Residential District, the change requested by the Downtown Strategic Plan Committee to shift back to 35'/35 DUs/Acre from the proposed 42.5'/45 DUs/Acre is already reflected in the most recent map.

8) West End District: no recommended changes from the 35'/35 DUs/Acre.


Building Height and Density
35' / 35 DUs/acre (A)
43' residential / 35 DUs/acre (B)
43' conditional* / 35 DUs/acre (C)
43' conditional* / 35 DUs/acre - limited to 35' along Mt. Diablo Blvd. (C1)
43' conditional* / 35 DUs/acre - view protected (C2)
35' residential / 35 DUs/acre (D)
43' residential / 45 DUs/acre (E)
2 story overlay district (F)
Bart block (G)
Protected view as described in the General Plan
0 250 500 1,000 1,500 2,500 Feet

Data Source: WRT + Contra Costa County

.afayette Downtown Strategy

Aaximum Building Heights and Residential Density - Recommendations by the Planning Commission Subcommittee (for discussion)

Prepared by Planning Commissioner Jeanne Ateljevich for discussion at the March 19, 2009 Planning Commission Meeting

Review of Specific Plan

1: Process

The process of developing the plan was OK, but the review process with everyone expected to report directly to the Council at one humongous meeting is not OK. To have a process which requires that all reviews go straight to the Council at the same time and expect any kind of thoughtful results is simply mind-boggling. This applies to staff critiques as well. Next to the General Plan the decisions made on this plan are extraordinarily important. And the plan requires extensive changes to the plan. Yet time limits are severe. There are no filters in place, and commissions do not necessarily (or at least the Planning Commission doesn't) have the benefit of a critique from their own staffs. Simply put this is an insult to the Planning Commission. You are denying the Planning Commission the right to play its traditional role in the filtering of ideas before they get to the Council. You set up a Committee composed of folks from all the various commissions and other groups in the City and it reports in parallel fashion as well. And this after hours and hours and days and days of work by that Committee and after being told that changes would be made for it to review before it was passed on to the Council.

2. Overall

The organization of the plan seems chaotic. It might better follow the organization of the General Plan I find it very awkward to have to look in a whole bunch of places for a discussion of what is intended for a particular area. It's driving me nuts.

The rationale for many of the changes to the General Plan and zoning ordinances now in effect is not always clear

I would expect, for instance, that a Specific Plan that suggests new zoning districts would provide details of what that zone would contain and how it differs from other zones and the existing zoning. There is a great lack of specifics in this so-called specific plan.

I would hope that this plan would require as few General Plan changes as it can and still achieve its goals. Small unnecessary changes should be avoided.

I don't think this plan should be adopted until every detail is absolutely clear, including uses to be allowed, and those that will require use-permits.

3. Failure to **supply complete comparisons** with existing specific plans. The committee has repeatedly asked to be supplied all the language that is in the original plans and deleted in this plan. Having said this I do believe the existing plans need updating and are in places unrealistic. But the net effect and overall vision is affected, and in the case of the Shield Block, to an unnecessary extent.

4. The **numbering system for policies and actions** makes it very hard to find things. In the Circulation Chapter for instance Policies should start with a 6 (the chapter number). The way it has been done when you're looking for a policy 4.2 you find that there is a policy 4.2 in lots of chapters. In the circulation chapter it should be policy 6.4.2, in chapter 7 it should be 7.4.2 then there would be only one such policy. The same goes for actions.

2. Introduction and Context.

2.1 In this fast changing world isn't it a little presumptuous to talk about planning for a 30 year horizon. You talk about one of the reasons for doing this specific plan being that our current specific plans are now more than 20 years old. You think this will last 30 years? It will be truly ancient by your own standard and just as out of date. The plan states that once adopted all redevelopment and new development projects in the Downtown must be consistent with the Specific Plan.

Will and must be are regulatory words and are used frequently throughout this plan.

2.22 Relationship to General Plan

This plan is consistent with the General Plan only if we change the General Plan. Same old tired circular reasoning we always use. This section also stipulates that for the downtown the Specific Plan policies and standards will take precedence (over the General Plan?, Wow, we better be very careful.) The second paragraph states projects will be evaluated for consistency with the intent of Specific Plan policies and for conformance with development standards and design guidelines. Therefore if a policy states that an area will have mixed use development of residential over retail, any project will be evaluated to ensure it conforms to the intent of that statement, and when the word will is used, that is the intent. Contrary to how this plan has been sold, it is regulatory in many areas and not just guidance.

2.23 Relationship to previous Downtown Plans.
This section claim to capture the spirit and intent of the previous plans it claims to maintain the spirit of the community's wishes for Downtown scale. I think that's an arguable claim.

2.24 Process.
This section claims the results of the public process dictated the results. Some of the results have been suggested by some of the public, the results were not the result of public clamor, far from it.

3. Community Vision
Overall vision – I prefer Planning Commission version as prepared by Karen Magio
More confusion over organization. Why does sustainability come before Land Use? Why are all these brief visions here, shouldn't they be with their own chapters. Why does Circulation come before land use?

5. Land Use

Starting at the West End what is the rationale behind describing the current MRT zone off Mountain View as West End Mixed-Use. Are you not intending to keep its MRT zone designation and if not why not? That area should not become mixed use, it is too much part of a residential area.

Similarly the Downtown Residential District contains some small areas zoned MRT which become which appear to lose their identity. This is not so important as losing the other zone as MRT type development is at least compatible with MRA type development, but there is no reason to lose the MRT or the small MRO (which allows medical uses). That area has a lot of medical office development. You haven't told us yet what uses you are proposing for the Downtown Civic and Cultural District, but it is hard to imagine the Civic and Cultural will really be appropriate on the north side of Mt Diablo. I think I would prefer to keep it to the South Side.

I think the Downtown Retail District should absorb all of what are now the SRB and RB (and extend it to First Street on the north side of Mt Diablo). But I absolutely don't think we should change any zoning or adopt a specific plan) until we know exactly what uses are planned to be by right and what will require use permits. This is true for all of the districts and zones.

I think the Brown Ave area should be kept as an overlay in the zoning and not be a separate zone, as should the Gateway district. I think the gateway area is way to large. I can't tell what uses are planned for that area – but there is not much evidence that a small hotel will support a great deal of "tourist" oriented retail around it.

The real genius of Lafayette's original General Plan and it's current General Plan is that the center of town was clearly distinguished as the pedestrian oriented shopping center of the town and that the ends of the town were to be much lower key. We must be careful that in adopting plans for the hotel area that we **not** make it look like the retail core. We don't need a second retail core.

5.3.2 West End District

I agree with much of the discussion here, but I don't think new uses should be forced into the "mixed-use" concept and retail uses should be "commercial sales" and not be the same type of retail we expect in the Core. I see absolutely no reason to absorb the existing MRT off Mt. View into this area. What is the need or rationale? See comments under 7b.2

5.3.3 Downtown Retail District

I have already commented that the district should extend to First Street on the north.
On page 5-7 last paragraph, the report states that new residential uses **will** occupy upper stories of **retail** buildings and areas to the north of Mount Diablo Blvd. I don't think ground floor retail will be successful in very many areas that do not front on Mt. Diablo Blvd, The Plaza shopping Center being one exception. Nor do I think that all of the retail that we can entice will want residential on its upper floors. I have no objection to it; I just don't think it will happen. We have to remain open to entirely residential buildings in places where retail won't necessarily be successful. Mixed-use in one building isn't any more important than a mix of uses within an area.

5.3.4 Downtown Residential District
The second paragraph in this discussion states that higher densities should be encouraged . . .
Policy 1. 1.1 Should not be adopted (requires higher densities)
Action 1.1.1 should not be adopted
Action 1.1.2. Promoting in-law units. Kind of hard to understand how this applies to a multiple zone.

5.35 Downtown Civic & Cultural Area

In the paragraph under Action 1.2.1 about relocating City Hall the discussion is about the Park Theater. I believe retaining the Theater is one goal the Community will whole-heartedly support and when we have the money this should be our highest priority. Beyond parking for the theater there is a need for more parking for the businesses facing the park. And I think parking in this area should be remedied as a top priority.

None of the plan discussion under this section relates to the area north of Mt. Diablo. This should remain in the C-1 zone.

5.3.6. Funky Town District

I'm attracted to saving an area like this, but attracting the kind of uses desired in this report has not proven very easy. Their number has been declining over the years, not growing and they are more and more replaced by personal services. Of course, these need some place to go that is affordable too. The old adobe forge should be preserved, maybe this is the way. The report states in its last paragraph that "the key action is preserving physical form, as well as maintaining existing small businesses, many of which have been serving the community for years." How in the world do we do that? There is no policy or action for this section or district. It should be an overlay of the C-1 zoning,

5.3.7 East End district

The discussion of this district further supports my view that the "Gateway" district should simply be an overlay on the C-1. It notes the need for a strong greenway character defined by a coherent heavily landscaped appearance. . .But, in the implementation section it reduces the current 10' landscaped setback requirement to 5'. I do not support that reduction. There are areas in this district where some more height could be accommodated back by the freeway and that could well be designated for multiple-residential and after careful study could have a little more height.

5.3.8 Gateway District

This is ridiculous. Land-uses complimentary to Acalanes High School – what's that, more fast food? I don't think we want to invite more traffic through that interchange area, particularly not kids. Some retail complimentary to the hotel is fine, but we must realize hotels don't generally support much retail. A flower shop, a coffee shop and a gift shop and that's about it. Frankly if hotels really supported much more it would be there by now. And I don't think Lafayette's intention ever, ever, ever was to start attracting people to come down off the freeway to "regional Land Uses." NO, NO, NO. This area should be reduced in size and be an overlay of the C zone, if it's there at all. We don't need it in order to provide housing, we don't need it to provide landscaping, and both are allowed and can be promoted in the C zone. At most there can be a small overlay zone here along Mt. Diablo, but I don't really think it's needed. This concept of a second "core are" would require a change in the General Plan that I will not support.

5.5 Mixed Use

In the first paragraph delete the phrase "in particular, within individual buildings" I think the mixed-use concept is overblown, over trendy, and by now just a tad trite. It can be, and always has been permitted and promoted in Lafayette. But it's not some sort of panacea which solves all problems. When we recommend something like a mix of retail and residential and expect it to result in more residential use we are taking quite a chance that it will not result in much residential even though it may be becoming more desirable to developers, it may also not be a reality here very soon. Mixed uses within an area are just as valuable as within one building or one a single site. Yet I fear that this plan actually does require it by requiring consistency with its policies.

6. Circulation

I defer to the Circulation Commission. But having said that, I don't think I could support the extension of Happy Valley Road, the new street shown through the Plaza shopping Center, or the extension of Moraga Rd.

6.3 Parking Supply and Management

Policy 2.2 I do not agree with this policy (which if we adopt the plan, becomes a policy which mandates compliance). No one has ever said that the parking provided in the MRA residential zoning district is excessive and that the requirements should be reduced. I have never noticed unused parking spaces at night in this district, so until there is a study of Lafayette's residential parking that proves MRA requirements are too high I would not support reducing them. It may be that in the Bart block a study would have different results so that should be a separate study. As for commercial parking until the merchants and studies prove we require too much parking, let it remain as is.

This was all studied very carefully when we had a parking commission, that was years ago but nothing has shown that there are fewer spaces needed now than then. Certainly any changes made because of parking garages or public lots should not be made until those things exist.

We already have a substantial discount in the number of parking spaces for an aggregated lot. We have one such lot in the shield block and the owners are not happy with it. It is apparently inadequate for both their needs.

Parking Strategy Map

I dislike the idea of redeveloping the whole Shield Block so much, I just seethe. The potential for aggregating parking there implies complete redevelopment that includes the bank, the Clock Tower, Postinos, and all the buildings between the Roundup and Postinos including the Roundup. I think it is just preposterous to make a priority of redeveloping one of the few blocks in Lafayette that really are the kind of blocks practically everyone thinks are an important part of the ambience of Lafayette that should be what Lafayette is about.

6.5 Pedestrian Circulation

Network Plan

I think Dave Bruzzone presented a valid argument for deleting the path shown along the creek at the back of his property on Moraga Rd at the intersection of St. Mary's Rd.

Some sidewalk standard widths are described in action 4.1.2. I think 8 ft. is narrow for Downtown Retail Core sidewalks, especially since street trees are required in those areas. I think this width needs to be looked at when the Downtown Street Master Plan is updated. It might be a minimum, but should not be a preferred width where there are shops immediately adjacent to the walk.

6.7
I support the change requested by the Committee to change Action 6.1.4 to read *Encourage* (not require(all new commercial development. . . and *require* secure bicycle. . .

7. Community Character
this chapter should come before all above.
Replace the introductory language with the Committee's description of the character. Unique tells us nothing.

Shield Block

The concept plan for the shield block is very attractive and I think impossible to achieve. The area illustrated is shown as though all the existing structures would remain except the Bank of the West, Petars and the buildings behind it and the apartment house on Lafayette Circle. While the Petars property could redevelop if the park was removed from the plan, both the bank and the apartment house would have to be purchased by the City. Though there is a scale on the drawing as reproduced it is not clear how wide the creek corridor is proposed to be. It looks like is is showing about a 40' wide greenway. The aggregated parking will not occur without redevelopment of the properties on the north side of the creek, nor will appropriate easements that allow public use likely be obtained. Liability would have to be assumed by the City. Two of the owners who already have aggregated parking are on record as being fearful that someone will park in their lot and walk to some other property. They also do not feel they have adequate parking and are arguing with each other over parking.

Retail would exist for a short distance along the creek on the ground floor of some townhouses.. The Parking Plan (page 6-9) shows aggregated parking or a City parking structure on the north side of the creek for just about the full width of the block.

For the greenway to be successful an entrance needs to be visible from Mt. Diablo as shown on the concept drawing. I suppose it could be in a different place if need be.

I think the only way we could have a successful outcome in this area is to do a specific plan which is detailed and agreed to by all the owners. Piecemeal implementation of a plan that requires this much coordination is just soooooo remotely possible.

I believe we should not be planning on, or contemplating redevelopment of the current structures along Mt Diablo or some of the better ones on the south side of the creek. I doubt easements will be donated. Outright purchase of the required easements might be an option that would be more acceptable to citizens. This block is one of the few in town that people really like and is most like what people would want to see more of when we talk about adding retail (however unrealistic). In other words, I like the Plan, and enormously dislike the implantation Plan.

In the Bart block this same concept was attempted. In that area it seemed more realistic. We had parcels assembled by one owner. We had a certain amount of foot traffic assured by the fact that it was an access route to Bart. But we failed completely to get anywhere with the mixed use concept pictured by the Specific Plan. Not just with Bedford – who wanted only offices along the

route, but also by owners and developers who followed, and we tried many times. And in fact, just a tiny bit of mixed-use along the existing parking lot sank the last residential proposal. The Greenway was never a problem, but it never became more than a very nice landscape feature for the area. And I really don't believe it would become "a second frontage" for the Shield Block properties either. It could be an attractive landscape feature for the downtown.

I do think ground floor retail under townhouses could succeed for a certain distance (as far down the block as Chows) along Lafayette Circle across from La Fiesta. The height could be adjusted in that area to accommodate that type of scenario as long as the structure(s) did not have the appearance of one massive building. There would be constraints because of the flood zone Fema mapping which will require raising ground floors in this area. Also it is worth noting that Petars has an historical monument that must remain (Elam Brown's homestead) We can also, of course, insist that the Creek be featured and that there be an easement along it in any other development that occurs in that area.

I think the cost estimates for the concept shown may be off. They should be double-checked. Costs for the whole greenway concept including removal of other structures should also be double-checked.

Park Theater Library Area
The Task Force concluded that the Park Theater is a viable project and that more parking is needed. Since we know that the businesses in that area also need more parking and that the residents strongly support continuation of the theater as a theater I think we should retain the Theater in the plan and consider that helping to fund its renovation and finding or creating parking in that vicinity should be a priority higher than some of the other on the list.

Gazebo Park
I don't object to a small park in this area if it would serve the folks who will live in the senior housing across the street. The gazebo feature has always seemed strange in that location and I've never noticed anyone using it.

Community Character Goal 1.
Why is this here?
re: Action 1.2.1: I think the playground belongs in the Library Park,

Streetscape Design Guidelines

DSIMPIC will be happy to work with a consultant to bring its plan up to date and incorporate changes made through the Specific Plan. There will need to be coordination with the Circulation Commission for street widths, lane widths and parking layouts, bicycle lanes, etc.

I think policy 2.4 "Encourage the development of street-front retail" belongs somewhere else.

Mt. Diablo Boulevard
The cross sections shown are in general, but widths noted may or may not be what should be implemented.

Median maintenance and park maintenance cost need to be recognized in this plan

Creek Greenway Strategies
Lovely lovely section. I only wish I thought it would happen

7b.2 District Character
Downtown Retail District – This discussion describes the entire district as having ground floor retail and residential or office upper floors. This is not going to be possible in areas not having Mt.Diablo or other good retail frontage.

West End District
Our current zoning regulations divide retail sales into two general classifications, general retail sales and general commercial sales and services. When the word retail is used in our zoning it usually refers to general retail which is the retail sales of goods which can be easily carried by a pedestrian (or, as in the case of furniture simply ordered and delivered). These shops are generally require that parking be in close proximity to the store. General commercial sales are of goods and services which do require motor vehicle transport. The Planning Director maintains list of which types of stores are in each category. I find I miss that distinction in the Specific Plan and that it is really hard to understand if you are making that distinction at all. I think it's very important and don't want to lose it in this process. In the West End district you give us three kinds of ground floor uses: one is single use retail, two is single use office and the third is ground floor retail with residential or office above. In the earlier discussion of the West End District you mention that it would be good to include limited retail uses such as "corner stores". Corner stores are usually food sales and food sales under our activity definitions are "food sales." I would certainly greatly appreciate having you use the terms we use in our zoning so that we can more easily understand what you are talking about. As for this district I would not approve a zoning change that allowed "retail" as we understand that word. It would dilute a distinction we have taken great pains to implement and which is beginning to have the desired result. If you are talking about placing retail stores in the residential areas which you have absorbed you better tell us that. My suspicious mind immediately leaps to the conclusion that by avoiding the commercial sales terminology you are planning to make Diamond K a non-confoming use.

Funky Town District
Rename to Forge District or Brown Ave. District
Other than the height limit I don't see any specifics. This should be an overlay in the zoning, as it is now.

Gateway District

Is this the same gateway as was discussed in 5.3.8? What will the entertainment be – a bowling alley? So is this intended to be another pedestrian oriented area like the core retail area? What would it be, a cute little gift shop, a coffee shop, a flower shop, a little fast food, these we have. To go very far with this doesn't make real sense. I think giving this area a character like the core area is an absolute denial of that Lafayette had planned for its entries and destroys what has really been the very good planning of the last 30 years.

7b3. Private Property Strategies
In this section the imposition of setbacks with respect to buildings higher than 35' is discussed. As Geoff Bellenger has stated these are not drawn to scale with respect to Mt. Diablo because the street ROW is drawn as though it was 85' instead of 100'. But this error actually makes the situation look worse than it would if the scale had been accurate. I fully understand that a height of at least 42.5 feet is needed for new retail. Nevertheless I disagree with the conclusions and regulation that follow from this fact.

So here I will launch into height.
1. It is a fact that we have had to grant an amendment to the General Plan too many times in the past few years. The hotel was the first, followed by the recently approved condos at the East End, I think maybe the storage building, the Lemos building (where Big O-Tires is), the library, town center apartments, the Mercantile building, and the condos at the west end of town.

2. The general plan requires that we protect intermittent views of the hills beyond, and not just from the Bart platform. There is a map which illustrates the principle scenic views to be protected and a policy which I quote:

While it is not possible to entirely prevent some blockage of scenic views

downtown, it is important to preserve intermittent views of the surrounding hillsides and ridges from Mt. Diablo Boulevard. Scenic views can be preserved by maintaining a variety of building heights, providing open view corridors between buildings, and utilizing setbacks and building height limits.

That does not mean that we must provide a view corridor between all buildings, but that setbacks are just one of several techniques to be employed where protecting views is important. The General Plan expects that we will consider important views during plan review of buildings and signs.

3 The Specific Plan states "Either setbacks with additional public gathering space (outdoor dining, etc), notches allowing patio spaces or step-backs on the second or third levels can be proposed for consideration."

4. We cannot ignore the mass that can go with extra height. This is not solved by setbacks and in many areas is an important consideration. You might well want to require all of the above in some cases. And we must take into account protecting important views to the hills.

5. I believe we should do the following:

a. Grant a greater height for the entire redevelopment area in the General Plan (I would recommend 45')

b. Create overlays In each zoning district where extra height might be appropriate – this would be true in some zones where there can be extra height for multi-family and other zones where we hope for new retail development – we should map the areas in which we might consider it. We should not map places where we don't want to encourage redevelopment (like the frontage on Mt. Diablo between Moraga Rd and the western leg of Lafayette Circle). I don't think the Gateway District needs extra height. I think we could consider it for the north side of Golden Gate and for places in the C-1 zone back against the freeway where it would be very appropriate to fill in with apartments. Maybe the provision of rental apartments would warrant greater height in some areas. These mapped areas would be overlays in the various zoning districts where the height would be considered. In general they would not occur on Mt. Diablo except in the Downtown Retail and Civic Cultural districts Other conditions appropriate to the area would also be applied in the zoning overlays. Sometimes that might be setbacks, other times other requirements

By planning where height is to be permitted and making sure we have appropriate conditions in place for each type of situation we can ensure that there is attractive variation along Mt. Diablo Blvd. There may even be some areas other than Funky Town where we want to lower the height.

Transit-Oriented Residential

Generally I agree with the recommendations, the maximum height limit could just as easily be 45'. I don't think it should be regulated by the Bart platform, though, of course, we must consider views from that vantage point. I don't think GP and zoning should use unrounded numbers like 42.5' to set maximums. I worry about the traffic generated by a density of 65 (plus bonuses). Try 45.

Small-scale Mixed-Use (with surface parking)
Retain the limit at 35 DU/acre

Small-Scale infill Residential
Retain the density at 35 DU/Acre

Corridor Commercial
Change the retail to Commercial Sales. Maintain height at 35'. Not trying to encourage retail here.

Historical/Cultural Resources
Why would we allow 4 stories in this zone regulated by views from the Bart station?
I don't think I want to see 42.5' buildings along the Mt. Diablo frontage of this district. It might work on the north side of Golden Gate near the library. Needs study. Whichever, setbacks would not be what determines appropriateness.

9.2 Implementation
In the note (a) it states that all projects except P1 (Shield Block West), p2 (Town Green), pc (what is this?), and p5 (Gazebo Park) are assumed to involve donation or dedication of conservation or other easements. But none of these cost include land use costs. Does the Happy Valley Creek Greenway include the cost of daylighting the creek through the Bank of the West property? I would expect the only way the City could get that property would be through Eminent Domain. Is there some other expectation? This plan is worth considerably less without this access off from Mt. Diablo.

I feel that the priority Capitol for Downtown chart on page 9-4 should delete the Gazebo Park as a high priority and replace it with the Library and Theater parks. I feel the implementation strategy for the Shield Block greenway and parks should not include the expectation of redevelopment of existing properties and subsequent donation of easements, but should expect to develop a plan such that most of the existing structures can remain and easements be obtained in some other way (like purchase, City assumption of liability, or whatever any one can think of). In any event owner cooperation in this block is essential to success. This isn't going to amount to much if you don't have visibility from Mt. Diablo. The plan really needs revision before you start piecemeal implementation.

I would place a much higher priority on the parking for the Theater and nearby businesses and two nearby parks and associated creek improvements. And if it is necessary for the City to contribute to restoration do it.

Recommended Regulatory Changes

Previous Specific Plans superceded. I would not do that at this point. Some of the content of particularly the Shield block with respect to the look and feel of that area hasn't been incorporated. This plan doesn't even discuss what is charming about that block.

The Bart Block Plan has been implemented about as far as it can be given the ownership distribution. As long as what has been done for the creek is retained I suppose it is Ok It is too late to implement the Bart Block Plan as written so I don't mind losing it or the Plaza Park Plan

General Plan Land Use Designations
I feel the plans suggestions need some adjustment as discussed above. I'm eager to hear our Planning Staff's opinions.
land-use designation for Senior/ Assisted Living/Active Adult – what does this mean? These uses should be list in the Activity classification of the zoning code and where they are permitted listed in the proper zoning districts.
Zoning Boundaries – You need to list those zones whose boundaries you wish to change. I don't see the need for all the changes you seem to be suggesting. For instance I don't think we need a "Gateway" zone, or a "Brown Ave. zone" and I don't think we need to change any of the multiple zones. We do need, I guess a Civic and Cultural zone "
Combining RB and and SRB is fine. Need to define what will and won't be allowed.
Open Space in Commercial development in combined RB-SRB –maybe more – the transfer is OK for parcels too small to provide the kind of open space amenities larger parcels should provide (courtyards, paseos, etc.)
Parking Requirements . Change if and only if local studies show are requirements are too high. .
Visitor Parking Same as above.

Allowable Height & Setbacks Five feet is insignificant and 50 feet excessive. I'd like Planning Staff to make a recommendation we could study.
Front Setback no change
Side-Yard Setback the change suggested is acceptable
Building Height Definition no change
FAR needs study, has served a purpose in MRA, PC should study before any change is made in that zone, need to hear from Niroop.
Opportunity Site #1-#5, It would have been better if these were more abstract, but I like the fact that more than one concept is illustrated and that it is clear that these are just ideas and rough concepts

9.4 Implementation Strategy
Targeted Improvements to enhance downtown.
As I have said over and over again I ***don't*** want to see redevelopment of the Shield Block. The notion that we all want "higher quality" retail (like?) in our retail core. What we want is things we need and don't want to travel to another town to get. The stores that lasted here should tell us something. Make a list: Ace hardware, everyday type retail store (McCaullou's) drug stores, grocery stores, all kinds of foods, restaurants, coffee shops, Diamond K and Orchard Nursery. These are things we don't want to lose, and of course we tend to enjoy lots of the newer more boutique stores and we have a good variety.

3. **Redevelopment Agency facilitation and assistance with target new development.**
Of the five areas the one I would like the City to be involved in most would be the Park Theater area parking and parks. Next might be the Happy Valley Creek Area if design problems and access can be worked out and someway of avoiding too much redevelopment in that area. The other three should be skipped entirely.

Srivatsa, Niroop

From: Karen Maggio [kjmaggio@gmail.com]
Sent: Wednesday, April 01, 2009 6:30 PM
To: Srivatsa, Niroop
Subject: Re: Public comments on the Downtown Strategy and Specific Plan.

Niroop,
I do not have computer access here in the Mendocino Headlands so am using slow thumb method to text these comments.
My apologies for any typos or abbreviated sentences.
5-15 policy 2.1 meet or exceed state goals set in AB32 and SB 375
"aim towards" seems too weak.

With regard to implimentation:
I do not support reduction to existing parking code,increase in height or decrease in current setbacks. At this time, there are other priorities that will better serve the "small town feel."

The parking structure location should be reconsidered.

Greenways would be a way to make the most of our natural resources that distinquish Lafayette from other cities.
However, I realize that this is easier said than done. Still, worthy of our efforts.
Protecting and honoring the hillsides and ridges must be a priority and articulated as a goal.

Karen J. Maggio
HERArg.com

On Mar 23, 2009, at 3:47 PM, "Srivatsa, Niroop" <NSrivatsa@ci.lafayette.ca.us> wrote:

Niroop K. Srivatsa

City of Lafayette

925.299.3206

925.284.1122 (fax)

nsrivatsa@lovelafayette.org

Srivatsa, Niroop

From: Mark Mitchell [mark-mitch@comcast.net]
Sent: Thursday, April 02, 2009 6:43 AM
To: Srivatsa, Niroop
Subject: Downtown Specific Plan

April 1, 2009

To: Planning Commission

First of all, I would like to thank the Vision Subcommittee and the Height and Density Subcommittee for their excellent work.

The Height and Density Subcommittee wrote in section 6). "It is important to understand that the 43' building height is conditional, with the expectation that the design of any development in these areas is constrained by a third story step-back (we recommend a 8' - 10' setback from front face of building), by building setbacks, by open space requirements, by height variations, as well as the design featuring the implementation of court yards, paseos and non-stucco siding materials."

I believe that this one sentence is critical to protecting the "small town character" and "pedestrian relationships" that the Vision Subcommittee talked about. These criteria should apply to any three story building on the main streets in the RDA regardless of height. The recommended setback provides a more pedestrian scale to the architecture, helps protect the view angle of our hills, and provides more sunlight for the sidewalks on the south side of the roads. In 2005 the City Council Work Plan recommended the establishment of Commercial Design Guidelines. In the Downtown survey 83% of the respondents said that improved architecture in the downtown was important. The architectural relationships that effect our "downtown feel" deserve in-depth consideration.
Other cities have studied these issues and have come up with creative solutions like providing 'average setbacks' which allow for more flexibility in providing for public amenities.

Just as the Subcommittee recommended "Park this item for further discussion" regarding the Parking Ratios, I feel that we must recommend no changes at this time to any of the above mentioned criteria particularly as it relates to the other non parking items listed on pages 9-6 and 9-7 in the Downtown Specific Plan.

Please recommend to the City Council no changes to these criteria listed above by the Height and Density Subcommittee until we have more complete analysis.

Thank you for your consideration,

Mark Mitchell

City of Lafayette
Planning Commission Meeting
MINUTES

Thursday, December 4, 2008, 7:00 pm
Lafayette Community Center, 500 St. Mary's Road, Manzanita Room

CALL TO ORDER

Chair Mitchell called the meeting to order, stating all Commissioners were present. He then proceeded to explain about the use of the microphones and asked if the staff would like to provide their names for roll call or just before speaking. An answer was provided that names should be provided for both roll call and in speaking.

ROLL CALL
Present: Chair Mark Mitchell, Commissioner Tom Chastain, Vice Chair Will Lovitt, Commissioner Patricia Curtin-Tinley, Commissioner Jean Ateljevich. Commissioner Humann was expected.

UPDATE ON THE DOWNTOWN STRATEGY:

Ann Merideth then began to speak. She reminded the Commission that on October 16 they received an update on the downtown strategy project and asked for another update in December, which is why she was in attendance. She stated the Commission also asked the goals be included and Ms. Merideth noted that they were in the October 16th packet but that they have been provided again. Also provided are the latest meeting notes from the Committee's meeting on November 5th, she stated. Ms. Merideth then added that they had invited members of the committee to attend and stated that Commissioners Ateljevich and Chastain are members of the committee and that Carol Singer and Scott Honegger are in attendance, as well as the Environmental Task Force, as they are interested and want to be involved in terms of the sustainability aspects of the project. She confirmed that Commissioner Chastain is also on the task force. She stated that she would be happy to answer any questions and that additionally Commissioners Ateljevich and Chastain, or Carol and Scott, could answer questions about the goals.

Chair Mitchell then directed Commissioner Chastain to speak.

Commissioner Chastain stated that the work done this summer was a project that went back to basics after seeing the initial output from the consultant, who asked if we really understood what the process is and what we were communicating to the consultant. He added that the goals are significant in that they represent their communication so far as to what they want to see in the plan and how they want to see the direction plan proceeding. He stated there were several meetings in the summer and the fall.

Commissioner Ateljevich stated that she thought it was five or six.

Commissioner Chastain stated that he thought it was more. He added that it was a lot of work and that the goals were not taken lightly and were produced to direct better communication to the consultant to help them to read the sense of priorities better, as well as long term goals in their plan. Commissioner Chastain confirmed with Commissioner Ateljevich that this information sounded correct and she stated that it did.

Chair Mitchell asked if Commissioner Ateljevich wanted to add any additional information.

Commissioner Ateljevich stated she did not have more information, but that she hoped that the Commission had read through the goals and added that they would like to have their comments on them.

Chair Mitchell asked if they should go through it on a page by page basis. The Commissioners confirmed that that would be fine. Chair Mitchell then asked if staff had any additional comments. They did not have any, so Chair Mitchell asked if they would like to go through it first or open it up to the public.

Vice Chair Lovitt and Commissioner Ateljeviich stated that it should be opened to the public first.

Chair Mitchell expressed that they could then respond better to the public's comments. Chair Mitchell asked if anyone in the public would like to speak. No one did so. Chair Mitchell stated he had a question for Scott Honegger.

Mr. Honegger introduced himself. He stated that he is on the advisory committee and is the Chair of the Creeks Committee.

Chair Mitchell then expressed that he had attended the last meeting and that Mr. Honegger had done a nice job identifying specific creeks that he would like to open up. He continued, stating that he was talking to some potential applicants to the Planning Commission and explained that one applicant was pointing out the difference between opening up a creek that had commercial on both sides of it versus opening up a creek that single family homes on one side of it and commercial on the other. He then asked if Mr. Honegger had any thoughts on that issue or if he wanted to make any general comments on how he identified locations and creek areas.

Mr. Honegger stated that it is the consultant, Wallace, Robert and Todd, who identified from their perspective, specific zones along particularly drainages, such as Lafayette Creek, Old Jonas Creek and a little bit of Happy Valley Creek and the point where it touches Las Trampas Creek. He went on to explain that was asked of the committee was to address each one of those reaches for its merits for either their recommendations concerning improvements and application of funds, or whether recommendations would be more passive in asking for enhanced creek setback requirements or building design requirements, etc,. and for commercial structures. He explained the concept here is fresco dining. For example, he added, if you are going to have a commercial structure along the riparian corridor, you should take advantage of it rather then treat it as a back alley or gutter area. Mr. Honegger then stated that he was asked at the last meeting by one of the people who worked with Wallace, Robert and Todd to provide a summary report from the committee concerning its perspective on each one of the segments. He stated that the report is sitting in the counter in his home and that he has to make copies before sending it out, but that he can give an overview of the committee's perspective.

Mr. Honegger stated when it concerns the reaches of Lafayette creek that form the southern boundary of the study area that create and establish a boundary between single family residential to the south and higher density residential or commercial to the north, that they do not want to provide public access into these areas. He stated that if anything, the committee believes that you would want to broaden the width of the riparian corridors and plant in them with redwood trees and undergrowth and create a better buffer zone between the commercial/high density residential and the single family residential to the south.

Chair Mitchell asked if he was referring to Golden Gate.

Mr. Honegger stated that he would get to that area as they had a bit of a different perspective there. He confirmed that at this point he was speaking about where Lafayette Creek turns inward off of Mt. Diablo Boulevard and flows south-south east back behind the city offices and coming over to where Mountain View Drive is. He further added that it wraps all the way around until it goes in a "U" shape and terminates about

where the Methodist church is. He stated that the committee is not recommending that much of anything be done in these areas, nor do they think that much can be done. He stated that he has a series of photographs showing structures that are either undercut or falling into the creek or already have improvements that are extending well into a creek setback. He added that they would hope in the future that the setbacks would be better protected. He then stated that they have two focus areas where they are recommending possible significant improvement projects involving daylighting portions of the creek, restoring riparian habitat and provided multiuse pathways. He continued, stating that one of these areas is the segment that runs behind Postino's and comes out and terminates next to the Petar's building. He stated that this section of Happy Creek is underground in a pipe or culvert running through the parking lot which is adjacent to the Bank of the West building. Mr. Honegger said that they are recommending further study for possible development, which would be the opening and day lighting of the creek as it runs through the location, as well as having a continuous pathway which would flow all the way from BART and use the creek as a natural causeway. He stated that the area would be improved and carried all the way to Lafayette Square and that there is basically commercial on both sides. He stated that the committee is excited about the idea and tying in the architectural elements and lighting schemes that have been used along Happy Valley Creek at the current path on the north side of Mt. Diablo Boulevard, as it heads toward the BART station. He added this would make everything continuous and he thinks it would look great.

Mr. Honegger then continued with the structure on Golden Gate Way, which he mentioned does border residential to the south. He stated that the consultant and the committee has generally endorsed their recommendation and this is a very expansive project. He continued, saying that the consultant has suggested removing the entire channelized portion of that creek, which is under the jurisdiction and control of the Contra Costa Flood Control District. He stated they have most of it under easement and some of the parcels in fee. He stated that to remove that and restore a natural channel in some areas that is sufficient to deal with flood control, as that Happy Valley segment and the reach of Lafayette Creek are FEMA flood zones, or to reengineer a landscaped channel that has restored riparian habitat as part of it, but moved north and away from the residential zone, would be challenging. He added you cannot move the habitat very far because you have to allow for the traffic and the right of way for Golden Gate Way and there are a lot of commercial property owners on the north side of the creek. He then explained that the concept for that zone, of which he has attached several pictures to the report that he will distribute to Ms. Merideth and the consultant tomorrow, is inspired by Ashland, Oregon and what they were able to do with their downtown, which had a flood problem. He explained that they were able to obtain funding and have done a spectacular job of engineering a safe peak period flow flood drainage and also provided public amenity and access while restoring habitat all in the middle of their downtown core. He explained that they are recommending that concept for one or more of the segments of the channelized portion of Lafayette Creek as it passes along Golden Gate Way.

Chair Mitchell asked to confirm what is meant by "channelized."

Mr. Honegger confirmed that it is a concrete box with chain link fence and barbed wire at the top as it is now.

Chair Mitchell thanked Mr. Honegger and asked if anyone had questions. As no one did, he asked if anyone else would like to speak. No one responded so he stated that they will now thumb through the first four pages of the goals, providing feedback and asking questions. Chair Mitchell asked if anyone had questions in regard to the first page that involved traffic and parking, as well as the beginning of the bicycle section. No one asked a question and Chair Mitchell then stated that the Chamber of Commerce and Larry Blodgett had been very interested in parking, as he had heard him speak at other times. Chair Mitchell wondered if the Chamber of Commerce had been active in this regard.

Ms. Merideth confirmed that they had been present and stated that Larry Blodgett is on the committee and that either he or Ann Denny attended every meeting. Additionally she stated that Steve Cortese is on the committee.

Chair Mitchell asked if there are making recommendations.

Ms. Merideth confirmed that they do at every meeting.

Chair Mitchell asked if the recommendations were a secret.

Ms. Merideth stated that this is the committee's work that is being looked at. She stated that WRT did the first draft, but this is the committee's work and that she believed that all would agree that everybody participated.

Chair Mitchell explained that he did not mean to be troublesome, but he just thought that there might be additional comments that she would like to make to help all understand it better.

Commissioner Chastain stated that he was not sure what comments to make and that it was probably problematic to do things this way. He suggested that it might be helpful to highlight questions that the Planning Commission has so that they can take it back and bring up the issues that came up at the meeting. He thought that was probably better than asking where things came from as the document is a set of agreements that the committee had arrived at through a very long process in which everyone participated. He went on to state that he could not even remember what each person said, but he knew that a lot was said and that there was not always agreement. He continued, saying that the document is an important piece of work because it represents a set of agreements we came up with at the end. He stated that he thought the most productive way of approaching this is to state the concerns of the Planning Commission, or areas that do not seem to be addressed, instead of asking who has been involved in the process. He then asked if that made sense as a way of getting feedback.

Commissioner Ateljevich then added that she agreed and confirmed that the committee insisted on not just a majority of the vote be in favor of something and that instead they insisted on a strong consensus that was very close to unanimous.

Commissioner Chastain confirmed this and added that it was very difficult at times and that many times they went around the table four of five times discussing various terms, etc. He added that because of this, this is a very deliberate set of words and confirmed that they are just a set of words and are not enacted into a plan yet. However, he continued, they do represent the result of the committee's barest sense of what the values are.

Commissioner Humann then stated that his assumption would be that if there were a major departure of opinion that the people would be there.

Commissioner Ateljevich added that these words would not be here. She stated that they did not make changes because one or two people thought something was a good idea.

Chair Mitchell then asked the committee if there are certain areas that seem to require extra work. He asked if there were any concerns that anyone might have.

Commissioner Chastain stated no several times and stated that he wanted to retire, in a joking fashion, and stated that he really wants to see what the consultant thinks of the words. He stated that in some ways they tried to have another kind of communication with them and he thought that it was very productive. He

expressed that he liked the conversation as there were a lot of questions from the consultant to the committee. He stated that the "proof in the pudding" will be if it comes back and we can recognize what we think we ought to see in it.

Vice Chair Lovitt then asked what the charge was to the consultant when the document was given to them.

Commissioner Ateljevich stated that she thought they gave themselves the charge of organizing this material into something that is prioritized and, in a sense, the priorities will have to reflect budget constraints as well as other constraints.

Vice Chair Lovitt then asked if the consultant is charged with that.

Commissioner Ateljevich confirmed that it is their job to provide a plan.

Commissioner Chastain added that there will be a reaction to this, but that all realized as they were going through the process that there are long-term visions that we want to have documented in the plan that will now be attainable in the short term. He continued, explaining that it is very expensive to do some of the things that they would like downtown, such as the work on the creeks that was previously mentioned. He stated that the feeling was that if these items are not included into the plan then they will never happen. He added that at the very least we can start to plan, even though at the same time we have a shrinking amount of money from our redevelopment area. He stated that they welcomed the suggestion by the consultant that they look it over and make the first pass at what is a dependency, or what are certain actions that have to occur for other actions to follow, and then what are some actions that are more long term and, additionally, where do they think these things fall out in terms of policy and projects. Commissioner Chastain then expressed that he thought that this will be a very important step as it helps organize this from a set of objectives into the start of a set of actions. He stated that he is not sure what will come back.

Vice Chair Lovitt then mentioned that the first thing that popped out at him was the community character goal on page 3. He stated that this seems to be what ends up driving everything else. He asked if that was what they were thinking.

Commissioner Chastain said that absolutely that was so. He added that he wished he had documentation going on in that room as it would be fascinating to hear the committee discuss endlessly what semi-rural means and what is the character of Lafayette. He stated that is one of those things that when you see it, you know it.

Vice Chair Lovitt then asked how we are going to "know it when we see it" and how then additionally asked how the committee saw the process developing to identify what that environment is.

Commissioner Chastain stated that it was like a blind man trying to describe an elephant in that each sees the community from their own perspective and that was also what was very good about the committee. He added that there was not a singular view and that instead there was disagreement as to what the community was made up of. He stated that there were also agreements and that one of the things that came out was that no one wanted the community to be homogenized into a particular style. He added that they understood that this was a complicated relationship between a somewhat ad hoc development over time, as a mixed set of styles of buildings with a level of informality in public structure, and the landscape. He stated that when those words were offered most people nodded their head and so community character is the most important thing. He continued, stating that it seems to come down to figuring out how to keep it small town, which for some meant one-story buildings, but for most it meant to people that they could see the hills. He stated that he believed that those are the issues that will not resolvable even after the documents come back because there is not just one view of what the community is. He added that hopefully the committee

will be able to see and understand better what the priorities are. As an example, he offered that there was no disagreement about landscape as being a crucially important part of the character. He then added it still has to be determined what that means downtown.

Vice Chair Lovitt then asked if there was anything left out of the summary as a result of not being able to obtain an agreement on wording or direction. A negative response was indicated.

Chair Mitchell asked if there were additional questions or comments from the Commissioners.

Commissioner Ateljevich then asked if the Commissioners knew what the parked items were. She indicated that there was a paper that Mike keeps so as things are talked about and something comes up that cannot be immediately resolved, he wrote it on the parked items list. She stated that this list was much longer than the goals.

Commissioner Curtin-Tinley asked if the plan was still to go through the document page by page.

Chair Mitchell then stated that he was willing to jump around in any fashion that the Commissioners feel is appropriate.

Commissioner Curtin-Tinley stated that she would then like to ask a few questions. She directed all to page 2 under "Preliminary Transit Strategies Recommended" and the last bullet. She stated that it mentions in this section of the report about lowering the parking ratios for land uses according to its distance from BART. She stated that it assumes that people who are going to use those uses are all using BART and that this is not necessarily true. She stated that the locals who live there and will drive should also be considered.

Commissioner Ateljevich stated that she is not sure that that interpretation is what was meant. She explained that when it stated about parking ratio requirements, it spoke of stores or residential or whatever is close to BART.

Commissioner Chastain interjected and stated that it seemed to be sloppy language. He stated that is an issue of an item be looked at for a long time and then no longer is really seen. He said that he appreciated her comment and expressed that it does need to be clarified. He stated that his memory is that housing that is more adjacent to BART is what is being referred to here.

Commissioner Ateljevich stated that she agreed with that.

Commissioner Chastain stated that the committee was trying to find ways of not having all of the land used up with cars if there is another strategy. He added that he thought it was one of the more controversial pieces of the document to deal with, as people have very diverse ideas about parking. He then stated that he did not believe that it was referring to commercial spaces.

Commissioner Curtin-Tinley then asked specifically what the downtown area is and how it is defined.

Commissioner Ateljevich stated that she thought all were confused about that.

Commissioner Chastain stated that he believed they were talking about everything inside of the redevelopment area.

Commissioner Curtin-Tinley asked if this was the core area.

Commissioner Chastain interjected that it was east to west from both ends.

Commissioner Ateljevich confirmed that the core area is what was being referred to, such as the pedestrian-oriented core retail area.

Commissioner Curtin-Tinley asked if she should keep asking her questions.

Chair Mitchell stated that he had also had concern with the lowering of parking ratios and that what he would like to see would be data to support the conclusions that are drawn as to why it is being lowered and what other communities might have experienced.

Commissioner Ateljevich stated that that is peripheral and that it does not go into the goals.

Chair Mitchell agreed and stated that it was more detailed work and he was providing the feedback that was asked for.

Commissioner Chastain thanked Chair Mitchell for the feedback.

Chair Mitchell then added that he noticed that when condo developments are being built that two parkings per slot is allowed, which many times exceeds the requirement of 1-1/2 because they know that is what they need to get it sold. He continued, stating that when apartments are built the minimum parking is provided, which sometimes spills out into the surrounding residential area.

Commissioner Curtin-Tinley directed attention to the last bullet on the page – "allow for automobile service uses focusing along the east end of Mt. Diablo Boulevard." She stated that she has heard from people in the community that they are very frustrated that the east side of Mt. Diablo Boulevard is being used as a dumping ground. She added that she is not saying that automobile services are a lesser use, but that she wondered why east Diablo was focused on as there are automobile services on both sides now at both ends, although not much.

Commissioner Ateljevich stated that the western end tends to be offices.

Commissioner Curtin-Tinley confirmed that she knows that there are automobile uses there and she is curious about the reasoning.

Commissioner Ateljevich stated that those auto uses that are there currently are old and existing.

Commissioner Chastain stated that he thought that this was a good comment. He added that he thought that in the context of list, they should go back to the whole committee and come back with some answers at some point. He states that his sense was that early on the consultant did a mapping of the entire redevelopment district. He continued, stating that he thought some of it was a little convenient, but that it was a useful tool in that it started to help organize within the redevelopment district a sense of what some of the smaller sub places were and what the identity of them was. He stated that in general there is a sense that there is more room and that those dimensions occur on the east end and that there are already some of those uses out there and that they did want to chase them out of Lafayette. He stated that this was really the only reason why that comment is in the document.

Commissioner Ateljevich added that it more or less follows the zoning.

Commissioner Humann then asked if from a broader, planning standpoint if that is a typical design to focus automotive uses in one section in town, or would it typically be interspersed throughout town.

Ms. Merideth expressed that typically automotive services are not in the downtown core as those areas are preserved for retail uses. She added that you would move automotive or car-dependant uses to the fringes. She continued, stating that the west end does not lend itself to automotive uses, but that the east end would.

Chair Mitchell then added that when he read the Minutes it was mentioned that they might potentially beautify the east end with medians. He added that he thought that would be enhancing an area that he thinks is appropriate for automotive use. He continued, stating that there are other ways to enhance the area. He expressed that the report mentioned the lack of a sidewalk in front of El Charro and Greg's Mufflers and that the committee Minutes showed that they were looking at addressing those concerns and making the east end not feel like a lesser area.

Commissioner Chastain stated that it has not been that way and added that they are talking about beautiful auto uses. He stated that it is always a problem as a "not in my backyard" kind of issue. He added that there has not been a deliberate sense of ignoring any corner and that there has actually been some thought given to how to make the ends be understood as ends and entries.

Commissioner Curtin-Tinley directed all to page 3 at the second bullet. She stated that here she wanted feedback as to if there is a vision on the entertainment cultural uses in the downtown, such as the movie theatre and potentially an arts theater. She questioned what sizes are being talked about and if renovation of the Park Theatre is what is being referred to.

Commissioner Ateljevich stated that they would love to talking about that renovation, but that is not what is meant here.

Ms. Merideth stated that it needs to be remembered that this is a 30-year plan. She mentioned that the library and hall, as well as the theatre, and the Lafayette School, which has facilities that could be used for events, the Methodist church were what were referred to here as taking advantage of what is there and then maybe in the future being able to generate more types of these cultural uses.

Commissioner Chastain added that he thought that the context was that there is very little support for that kind of use in the present, where the downtown is used as a social place. He added that the Lafayette music program is incredible in terms of the quality the youth is turning out. He stated that there are some venues in places, but that going forward this is an easy area that could be identified to be made more of, as more of a town issue. He continued, adding that the Park Theatre is part of that as it is a problem for all. He stated that the theatre was seen as a part of that in the context of that statement.

Chair Mitchell asked if there were any more comments from the Commissioners.

Commissioner Curtin-Tinley stated that she had made her main points.

Vice Chair Lovitt then spoke of the physical constraints of the town and that it is not an intersection, but a wide spot in the road. He stated that the downtown is three miles long and a block wide. He then asked what that does to typical views of how towns develop and further asked what will be able to done here. He also asked if that was considered in what the committee was thinking about while working on the document.

Commissioner Chastain stated that at times it created a lot of tension in the discourse because everyone on the committee cared a lot about what Lafayette is and want to either help move it forward, some in a more preserved fashion or not. He added that everyone was trying to make sure that whatever is done for the next 30 years is positive and that it lends to a lot of goals that seem to be just a goal with no real way of

achieving them. He stated that it came up within the discussions and this is one reason why he thought that it was positive that the consultant stated that they would go away and look it over and then present a set of priorities. He added that there will be some disagreements about what those are and then that will have be sorted through. He stated that he thought all on the committee realized that there is a finite amount of money to spend and it does not cover all that could be done. He continued, and stated that with that said when he looked over the document it seems to be the DNA for the plan and is not the plan itself as there is no policy in this. He stated that this is what should be able to be recognized when the policy is seen. He added that he thought it was very important that the Planning Commission had the document and that it can be talked about as it helps to determine what does not seem to make sense in the goals. He then stated that to hold this document up next to the plan will be an easier way of assessing what is proposing to be implemented as you can see what they are not doing. Commissioner Chastain then added that they realized that there is only so much money to spend, but that they did feel that it was important to give themselves a lot of room to talk about things even though it was known that it could not be funded now, as if you do not have that down in a document there is no possible way of getting there.

Vice Chair Lovitt stated that his question was not related to funding as much as it was to physical constraints.

Commissioner Ateljevich stated that it is the same thing and Commissioner Chastain agreed.

Commissioner Humann stated that he thought downtown Danville has similar characteristics in terms of set-up.
Vice Chair Lovitt stated that it is not an intersection, but it is a "T."

Commissioner Humann agreed and then stated that it seems to function better. Vice Chair Lovitt stated that it is because they have a "T."

Commissioner Humann stated that it is more pedestrian-friendly.

Vice Chair Lovitt then asked if that is what had started to percolate among the committee was a kind of Danville influence.

Commissioner Ateljevich stated that the consultants really tried to buck that suggestion with a concoction of a second street behind the Plaza shopping center. She added that they talked to the Ruzzone and that idea died. She stated that the constraints go beyond the physical constraints in that there are property ownership constraints, personality constraints and vision constraints. She continued, confirming that it is one street town with a small exception in Golden Gate, and that is not much used. Commissioner Chastain agreed and stated that the consultant did try to add another road, but then they realized that it was a linear set of activities and the key was to make some kind of activity centers along it as nodes, instead of thinking about it in another way. He stated that he thought it will come back when parking is talked about. He expressed that the preferred plan featured a garage in the middle of the town and that it did not take long to realize that it was not the best idea. He added that hopefully the consultants will play that back.

Chair Mitchell stated that he had a question on page 204 of the meeting notes from November 5th. He stated that he always related well to the diagrams, such as the one showing a 20' first floor and two 10' floors above that. He pointed out that at the last minute there were comments by the consultant and others stating that a larger ceiling height is needed on the first floor if you hope to have retail there, which he confirmed made sense to him. Chair Mitchell continued, stating that the consultant went on to say that residential and commercial were being treated differently.

Commissioner Ateljevich interjected that the consultant was wrong in his statements.

Chair Mitchell confirmed that Commissioner Ateljevich clarified that the C1 zone calls for a third story being set back.

Commissioner Ateljevich then added that the third story is a bonus. She added that what the consultant did not understand was that in order to have that third story it had to be residential. So, she continued, it was a bonus for residential, rather than a restriction, as he was posing it.

Chair Mitchell then asked Ms. Merideth if she thought the consultant was clear on that and understood Commissioner Ateljevich's point of view.

Ms. Merideth stated that she did think so.

Chair Mitchell asked if there were any additional questions or comments. When none were offered, Chair Mitchell asked if anyone would object if the subject were to be opened to the public once more. No one presented any questions or comments. Chair Mitchell then asked if there was any additional feedback that anyone would like to provide. There was none and so Chair Mitchell thanked Ms. Merideth and stated that a motion was not needed.

City of Lafayette
Planning Commission Meeting
MINUTES

Thursday, February 19, 2009, 7:00 pm
Lafayette Community Center, 500 St. Mary's Road, Manzanita Room

CALL TO ORDER

[This was not captured on the recording.]

ROLL CALL
Present: Chair Lovitt, Commissioners Ateljevich, Chastain, Humann, Maggio and Mitchell
Absent (Excused): Commissioner Curtin-Tinley
Staff Present: Glenda Warmoth, Niroop Srivatsa, and Ann Meredith, Diana Elrod, Housing Consultant

A. **DRAFT LAFAYETTE DOWNTOWN STRATEGY AND SPECIFIC PLAN**

Chair Lovitt said there is a recommendation to discuss the draft plan, develop a list of recommendations that can be shared with the Advisory Committee and other commissions and then forward it to the City Council. He added that the project planner is Ann Merideth and asked for a staff report.

Ms. Merideth stated that she did not have a staff report, but she had some comments. She said that she wanted to follow-up on the conversation with the housing plan in regard to the mandating of units to be developed in the downtown. She stated that it is the same thing as the specific plan. It does not mandate growth, but should be considered only as a guide if and when growth occurs. It is up to the property owners to decide if and when they want to redevelop their properties.

Ms. Merideth continued and asked that in regard to the downtown strategy she would ask that they really focus on the major items that they are interested in. She said that they know there are lots of little things that need to be fixed, and that they will be done, but that they value their input on the larger picture items and that it would be a big help to her group.

Chair Lovitt asked if there were questions for staff.

Commissioner Chastain stated that he just got material in the mail about how the different comments would be folded into the process. He asked if Ms. Merideth could speak on that and lay it out so all would understand how the comments are going to be collected and looked at and what the time frame is on it.

Ms. Merideth stated that after the last Advisory Committee meeting on January 31, there was some talk between the mayor, Councilmember Anderson, who is the Chair of the Advisory Committee, the City Manager, Ms. Srivatsa and herself about how they would manage all of the comments and recommendations from the many commissions who will be looking at the document and giving feedback, as well as comments from the public and the community workshop. They wondered how they would manage the input so that it is meaningful for the City Council to decide what the plans should ultimately be before it moves on to Environmental Review. She said that they decided to divide the comments and recommendations into two categories. The first would be the simple requests, such as adding a street name or asking for some more information. These would be things that are straightforward and easy to take care of. The second category would be those things like she would ask the Commission to concentrate on. These are the bigger issues such as height. They are thinking about having a matrix in terms of the issue and then the recommendations from each of the commissions and committees that have looked at it and

have comments. The public comments would be listed as well. The position of WRT and staff recommendations would be given also. This would be a way that would be easily understandable for all and would seem a good way to manage all of the information.

Commissioner Chastain noted that from what he understood some reaction to the material is needed by Saturday for the Advisory Committee and then the Planning Commissions responses would be forwarded separate from that.

Ms. Merideth stated that she was not sure about the first part of Commissioner Chastain's statement, as the Advisory Committee had been working on their own. She said it is important for the Planning Commission to do their own consideration and make their own comments. It will be up to staff to knit them all together. February and March is the time for all of the commissions and committees to talk.

Commissioner Ateljevich commented that some things in the plan are phrased as just being recommendations, and are not very concrete, while other things are stated as they should happen. She added that throughout the implementation strategy there is a great deal of emphasis on the City itself playing a dominant role in parcel aggregation, such as recommending redevelopment of the Shield block in order to have creek restoration. She said that at the last Implementation Committee meeting she stated that she did not want to see redevelopment of the Mt. Diablo frontage along the Shield block as the implementation for the strategy of developing the creek properties, but in looking over the documents it seems that is what they do expect as she notes development in the Shield block.

Chair Lovitt stated that once the City gets to a specific plan, he is not sure that it does parallel what was talked about with the housing element, as once the plan is in place, it is in place and there would be general plan revisions and zoning revisions as a result. He then asked if his understanding was correct.

Ms. Merideth confirmed that was correct.

Chair Lovitt then said that this is not quite the same as looking at the housing element and potential.

Ms. Merideth stated that she thought it was very similar.

Chair Lovitt said that if someone chooses to not build what the Commission thinks is going to be built there and choose something else under existing zoning, then they go back to the housing element and calculate. If a property owner comes in and redevelops an existing building under a new specific plan, he will have to meet new specific plan guidelines and zoning and general plan requirements. He sees this as a big difference.

Commissioner Ateljevich stated that in the past they had been told that although something was labeled as mixed-use, it did not necessarily mean residential and retail, as it might mean office and retail or office and residential. It is not specific as to what exactly the mixed-use is. She said that she is confused by that and wanted to know if it is mandated by the fact that the specific plan calls for mixed use. She wondered how much flexibility an owner really has if a specific plan is adopted that says that an area is mixed use.

Ms. Merideth stated that, as an example, the Shield block plan guides development of that area, adding it will be the same for this.

Commissioner Humann said that he wondered what would happen if an applicant chose to develop differently than what was recommended.

Ms. Merideth said that it does not change anything. She said right now, for example, in the zoning ordinance in a zoning district there is a framework for a development but that does not mean that the developer has to meet that development. It sets out a framework, but then the developer can work within the framework.

Ms. Srivatsa said that she thought that the draft plan sends a strong message that it would encourage mixed-use development, but if the implementation strategy table is looked at, there is no recommendation that the zoning ordinance be amended to state this. It is sending a message, but it is not reflected in the implementation table.

Commissioner Chastain said that he thought it would be helpful if a very clear statement was issued as to the difference between "guiding" and "mandating" and "requiring." He thinks that the plans are an illustration of what could be, not what has to be, but it is a problem for many people because they wonder if that is going to be required by any developer coming to develop that site. He would like to see a clear statement supplementing the document.

Ms. Merideth stated that these are concepts. She agreed that having an explanation of terms in the document would be helpful.

Commissioner Ateljevich stated that it is confusing as the document is very specific. She asked if the document is written as if the development "could be" or "would be."

[End of audio.]*

Respectfully submitted,

_____

Amanda Fichter, Minute Taker

** Recording device malfunction; the following are staff's summary notes.*

PC meeting of February 19, 2009 [Staff summary notes]

Downtown Strategy and Specific Plan

The following people offered their comments:
Gabriel Froymovich stated that he did not think there was support for the Plan in the community.
Elliot Hudson stated that the Plan did not take the results of the public surveys into consideration.
Joan Bruzzone said that she was confused because the Plan had different data in different chapters.
Mike Henn asked the Commission not to approve a Plan that it did not understand.
Carol Singer said that the Lafayette Homeowners Council met on the Plan, and all the comments were negative.

Some of the issues that the PC wished to "bullet" for future discussion were:

1. What is the process all the way to the end?
2. Explain the difference between guiding and mandatory
3. The land use districts: why were they created and what is unique about each one
4. Park once concept

5. Mixed use policy and its enforceability
6. Is Lafayette overwhelmingly a single family community?
7. Density – what impact will the density bonus law have on the proposed increase in allowable density?
8. The need for a map of the entire downtown illustrating the proposed changes in land use, height and density

Staff was asked to provide examples of residential projects of varying densities. Staff was also asked to prepare a table listing the current regulations and what the Plan proposes.

Meeting adjourned at 10:05 pm.

City of Lafayette
Planning Commission Meeting
MINUTES

Thursday, March 5, 2009, 7:00 pm
Lafayette Community Center, 500 St. Mary's Road, Manzanita Room

CALL TO ORDER

Chair Lovitt called the meeting to order, stating all commissioners, but Commissioner Chastain, were present.

ROLL CALL
Present: Chair Lovitt, Commissioners Ateljevich, Curtin-Tinley, Humann, Maggio & Mitchell
Absent: Commissioner Chastain

ADOPTION OF AGENDA

Chair Lovitt asked for a motion to adopt the agenda, which was given by Commissioner Maggio. A second was given by Commissioner Curtin-Tinley, which was carried by unanimous consent. (6-0-0)

PUBLIC COMMENTS

Chair Lovitt opened the floor for public comments.

David Bruzzone stated he would like to speak about the housing element and the new proposed housing ordinance. He said that both of the items have significant impacts on the specific plan but that they are not addressed in the specific plan and he wanted to bring this to the attention of the people and the Planning Commission. This issue of inclusionary zoning was brought before the city of Oakland and the mayor at the time, Jerry Brown, vetoed an inclusionary housing ordinance. Mr. Bruzzone stated that he did not typically agree with Mr. Brown, but in this case he did. He would like to know why at this time Lafayette is considering inclusionary housing. The redevelopment area does require 15% of the housing units to be affordable, so there will be an increase and focus of affordable housing into the downtown. He is concerned about that, but the inclusionary zoning ordinance will also impart a fee on single family houses where such a fee does not exist right now. So more affordable houses will be built in the downtown, but a significant cost and expense is put on single family homes. In-law units should be able to apply toward that requirement. They comply with affordable compliance and do not have to be rented out or have to have anyone residing there. He said that people must be aware that major changes are coming. In conclusion, he stated that there is no need to burden to the single family homes and force more, above the state required, affordable housing in the downtown area.

Chair Lovitt asked staff where the housing element was currently.

Ms. Srivatsa said that the housing element is going to the City Council on Monday, March 9th. The inclusionary housing ordinance is on that agenda, as well. Staff will be going to get final approval before an ordinance is drafted. She encouraged Mr. Bruzzone to attend. She clarified that the inclusionary housing ordinance reconfirms the existing 15% affordable requirement on projects within the redevelopment area. There is no additional requirement. It does propose a 10% requirement outside the downtown.

Commission Humann asked for staff comment on Mr. Bruzzone's statement regarding a fee on existing housing.

Ms. Srivatsa said that there will be an in lieu fee, which is a cost per square foot. The proposed cost per square foot option for the fee is much lower than the cost of building an inclusionary housing unit and is consistent with what surrounding communities are doing. They are taking this to the Council to make sure that they agree with the cost per square foot. She believes it is $10.00 to $15.00 a square foot.

CONSENT CALENDAR

None.

CONTINUED PUBLIC HEARINGS

None.

NEW BUSINESS

None.

OTHER BUSINESS

A. DRAFT LAFAYETTE DOWNTOWN STRATEGY AND SPECIFIC PLAN

Chair Lovitt asked for staff comments to begin the discussion.

Ms. Srivatsa said that although she had no comments, she wanted to point out that the the Commission had comments from Commissioner Chastain, as well as from the Circulation Commission. She added there also were two maps available for reference. The first is the district map from the strategic plan. The second is a zoning map. She also provided reference sheets showing residential density examples from Walnut Creek and Lafayette.

Chair Lovitt stated that it had been requested by staff that the Commissioners hone in on the implementation regarding the changes in regulations that are being proposed so that a sense of the Commission's issues or concerns can be expressed to the staff on each item. He stated that he would like to provide time for this toward the end of meeting. With no disagreements from the Commissioners, he opened the floor to the public for comments on the downtown strategy and specific plan. He asked that the first speaker, George Burtt, begin.

Mr. Burtt introduced himself and provided his address, and stated that he was representing the Acalanes Valley Homeowners Association and the Lafayette Homeowners Council. He directed the Commissioners to a letter he provided from the Lafayette Homeowners Council. He said his homeowners association that represents 440 homes on the west end of town endorsed the letter from the Lafayette Homeowners Council. He stated that they love Lafayette as it is, but many who have lived here for a while have remarked about the congestion that now occurs downtown. They have concern that the strategy will just add to this congestion. They were pleased with the general plan and believed that as issues came up through it, the public would have a chance to argue. He stated that the downtown strategy, however, is too big for Lafayette. They would like to see it rethought, slowed down, reviewed or stopped until things are settled. They see no point in spending more money to then come back and argue the points again in six months.

Chair Lovitt asked if staff had estimates of the costs of the plan and for the EIR.

Ms. Srivatsa stated she did not have that information, but she could get the information. She said that it is being funded through the redevelopment agency.

As there were no more comments, Chair Lovitt asked Susan Callister to speak.

Susan Callister introduced herself and gave her address. She stated that although she is on the Lafayette Homeowners Council, she is speaking for herself at this time. She said that the amount of housing units has not been talked about enough. She said that redevelopment under the State of California was supposed to be about urban blight. She drove around and stated that in her opinion other than a few unattractive retail and banking locations, she could not find urban blight. She said that although the money for redevelopment is available, if the money is taken and housing is added as required, the town will

be changed and will no longer be a semi-rural small town. She would like to see an off-site meeting with the City Council and others and determine what is going to be done.

Chair Lovitt asked for any questions of the speaker. As there were none, he called Guy Atwood to the floor.

Guy Atwood introduced himself and provided his address. He said that he thinks that there needs to be a reason to make a change before a change is made. He directed all to Table 9.6 and 9.7 to refer to as he spoke. He said that in reading the overview of economic analysis for the downtown strategy, he found nothing that directly supports what is mentioned in 9.6 and 9.7. He said that the specific plan was supposed to conform to the existing general plan, but now in the draft final plan there are numerous changes to the regulations that do not agree with the existing general plan. He suggested that if changes are to be made, they should be made to the specific plans that already exist, rather than changing the general plan. In regard to RB and SRB Districts, he would not have a problem combining them, but he cautions that sometimes the actions to create short-term impacts end up destroying the long-term things needed for the city. With open space, he would like to see preservation and protection of views included. On parking requirements, he would not to see parking requirements reduced, as they are needed. He would like to see the Planning Commission recommend to the City Council to reinstate the Parking Commission so that downtown parking issues can be worked on. As far as allowable heights and set-backs, he said he cannot think of any compelling reason why heights should be increased. He suggested that if someone needs a change, they could come and ask for it. In this way the Commission still has the ultimate control. He concluded stating that to make changes, there should be a really good reason and he has been unable to find that so far in any of the reports and paperwork that he has looked through.

Chair Lovitt asked for any questions of the speaker. As there were none, he directed Don Lively to the floor.

Don Lively introduced himself. He said that he is not sure who initiated this effort for change. He stated that it reminds him of 2002 when Shaping Our Future was unway. It was a proclamation which stated that private property was acquisition, therefore there was social inequity and this made public control of private property indispensable. He feels like the current events are an episode of that. As a resident since 1961, he does not see a reason to change what has been put together at this point. He wonders why WRT was enlisted. He says he has found that when things are communicated in terms that reach each citizen's self-interest, the right kinds of decisions and recommendations will always be made. He would like the Planning Commission to state that they listened to the public and would like to forget WRT. He would like to see the money spent instead on roads.

Chair Lovitt asked if there were questions for the speaker.

Commissioner Mitchell asked the staff if RDA money can be used for repairing roads in the downtown area.

Ms. Srivatsa stated that the scope is limited, as the money cannot be used for maintenance of roads, but can be used for example to assist an affordable housing project by upgrading the roads and sidewalks. She continued, stating that when the redevelopment project area was created, there was a significant amount of drainage that was substandard that was funded through the agency. The 20% housing set-aside cannot be used for anything but housing.

Commissioner Mitchell said he thinks that better circulation would enhance businesses.

Ms. Srivatsa stated that certain findings have to be made to use RDA funds.

Chair Lovitt said that in regard to where the strategies began, he would like Ms. Srivatsa to comment.

Ms. Srivatsa said that after the library was approved and began construction, there was a concern that the areas around it would begin to develop. Instead of being reactive to development and developers, the Council felt it was important to create a vision for the future so that they could be proactive and guide and shape development. Additionally, redevelopment dollars that are coming need to be allocated. It was felt that it would be important to create a strategic plan that could be used as a guide to spend the dollars. Finally, she stated that in the general plan there are several areas mentioning creating character

areas, updating the specific plans, as well as combining the RB and SRB districts. The intent of the general plan was that once the work on the plan was done, that the zoning ordinances and parking regulations should be looked at. A specific plan is needed to do that.

As no more questions or comments were offered, Chair Lovitt offered the floor to Eliot Hudson.

The speaker, Maeve Pessis, stated that she was reading a letter for Eliot Hudson, as he was in Las Angeles at the time. She introduced Mr. Hudson and provided his address. In reading the letter, she stated that Mr. Hudson would like to see the downtown strategy plan be rejected for the reasons set forth in the Lafayette Homeowners Council letter. He stated he had two major problems with the plan, the first being the higher residential density in the downtown area and the second in the changes in existing building heights and set-backs. He stated that neither change is necessary and will open the door to destroy is unique about downtown Lafayette. He continued, stating that surveys show that the people of the town do not want the change, in addition to the Homeowners Council. He stated that we do not want vibrancy at the expense of the town. He continued, stating that WRT cannot be trusted to provide a plan that reflects the majority of community input. He stated that at a community workshop WRT stated that many of the elements of the proposed plan in regard to building heights and set-backs were designed to make the downtown more attractive to developers. He said that this ignores what the residents of the community want, which was the general plan, adopted in 2002. That plan emphasizes small and semi-rural. Mr. Hudson's letter continued, stating that at the end of the public meeting WRT was offensive in that they said that they saw that they needed to fine tune the plan. He stated that the major premises are wrong. It does not need fine tuning. A WRT representative at the meeting then stated that as long as there were offsets and gaps, he thought that all were fine with the height requirement. No one clapped their hands because, Mr. Hudson writes, they were shocked by the total disregard of what had been said at the meeting by nearly all 13 discussion group tables. He stated that five of the thirteen tables said that they wanted to retain the semi-rural nature of Lafayette. Ten tables stated that they liked their small town and strong concerns and criticism were voiced. WRT's final comments indicated that they ignored all of that. He concluded by stating that he does not want to see these changes.

As no questions were voiced, Chair Lovitt asked Maeve Pessis to speak.

Maeve Pessis introduced herself and provided her address. She stated that she is representing Valley View Estates. She stated that urban design and traffic created by the plan are the problems that her organization has. She stated that as there are already traffic problems in Lafayette, the WRT plan worsens it. She says that additional housing is shown in the downtown area of the plan, but no consideration is given for the accompanying traffic generated. The additional cost to the city for more services, such as police and fire, as well as problems such as road wear and tear and additional parking needs, is not shown. The new roads will add stoplights that will create bottlenecks for existing traffic exiting and entering freeways, as well as traveling into the downtown. She would like to see the RDA scenario of urban renewal refused as Lafayette is not blighted or urban. The people like the special character they have now and want to retain the semi-urban characteristics.

Chair Lovitt asked if there were any questions.

Commissioner Mitchell noted Mr. Chastain stated in his letter that the Committee is now recommending that the density remain at 35 units/acre, except for the BART block where 65 units/acre are recommended.

Commissioner Ateljevich stated that the Committee would like the MRA zone to remain at 35 units/acre as the streets there do not have the capacity to take a higher density. She said that the Committee has made extensive recommendations to the consultants for changes and those will be summarized and given back at some time next week. Then the plan is to be rewritten incorporating those changes.

Chair Lovitt then asked for Byrne Mathisen to speak.

Byrne Mathisen introduced herself and provided her address. She stated that she has been a resident for 30 years. She said that progress done well should not allow the blocking of the vistas from downtown or the removal of one oak tree. She

continued, stating that progress does not include the elimination of cars, as throughout the plan getting rid of cars is mentioned. She said that if the creeks are opened up they will have to be fenced, as they rage more in the winter.

Chair Lovitt asked for questions and as there were none, asked Jim Peacock to speak.

Jim Peacock introduced himself and gave his address. He stated that his concern is that the changes affect the town greatly. The plan to make changes to the creeks could possibly take 25 feet in the back of his yard. Although his home is not for sale, the value of his home will be lowered by the creek changes. He wants it understood that the city does not own the creeks in town. Most are owned by the property owners. Items that are put on the plan need to be things that can legitimately happen.

Chair Lovitt asked if there were questions. As there were none, he asked for a motion to close the public portion of the hearing on the item, which was given by Commissioner Ateljevich. A second was given by Commissioner Maggio, which was carried by unanimous consent. (6-0-0)

Chair Lovitt asked if the staff had any response. He then directed the Commissioners to begin their discussion, starting with comments about what was discussed at the last meeting.

Commissioner Maggio said she would like the Commission to look at the vision from which this plan should be drawn. She would like to have Commissioners articulate the meaning of "small town" and "unique" that are referred to in the plan. For her, small town is human scale with informal gathering places. Then when those definitions are determined, she would like to see if the chapters of the plan really relate to the vision for the town.

Chair Lovitt asked for additional thoughts.

Commissioner Ateljevich stated that some of those definitions are very difficult to come up with as all have different opinions. She stated that the plan attempts to show what might be built tomorrow and it is difficult to attain what they have now as well as add the new.

Commissioner Mitchell said that in response to the public comments, he would caution that some of the definitions can be tough and that modifications to the plan are continuing to be made.

Commissioner Curtin-Tinley stated that she agrees with Commissioner Maggio that the community vision is what drives the plan and that should be the overriding goal. She is concerned that some of the policies to implement the plan are not consistent with the overall vision. She concluded saying that she thinks that the definitions for small town character really need to be defined.

Commissioner Humann asked Ms. Srivatsa if there is a component of the housing density that is State-mandated.

Ms. Srivatsa stated that there is not a State-mandated density requirement beyond a minimum density of 20 units to the acre because we are a suburban area. That is already met, as Lafayette has 35 units to the acre currently. She then added that she thinks that the general plan in many ways asks for studies and more specificity in terms of downtown regulations. She said that the small-town feel concepts are in the general plan, but the specific plan does recommend changes to the general plan in terms of the character of the districts that are created, height limits, and density. These would be specific changes to the general plan. Being discussed now is whether or not the community wants those changes.

Commissioner Humann stated that there seems to be a misinterpretation with the public, as that is not what the speakers seemed to be saying. He asked what Ms. Srivatsa would say in response to the traffic issues raised.

Ms. Srivatsa said that an EIR is going to be done and it will tell what the level of congestion will be with the growth that is recommended. There will be more traffic, but to what extent and if it violates the standards set within the city is something that for the EIR to reveal. An example would be the level of service standards adopted in the general plan.

Commissioner Humann asked if Ms. Srivatsa had any comments to what was said by the public.

Ms. Srivatsa said that all comments seemed to be very valid, but it seems that the visions do not agree. She said that all comments, both from the Commission and the public, will go the Council and they will make the final decision.

Chair Lovitt said that the vision statement does not seem to be complete. He thinks that the Commission can help and provide a version of it.

Commissioner Mitchell stated that when the specific plan was introduced he was happy with it as long as they did not change the general plan. In looking at the specific plan, he does not see that the goals are inconsistent with the general plan, so he does not see the need to modify that plan. He notes that the changes in 9.6 and 9.7, specifically in density, parking, set-backs, traffic flow, state there should be more supporting documentation. He thinks that the studies should be done first and then recommendations can be made. He continued, saying that he had attended all three of workshops and a few of the committee meetings and noted that each time maintaining the limits of the general plan is almost unanimously supported. He said it seems clear where the public stands and he supports that position.

Commissioner Ateljevich stated that her biggest problem with the plan is that the implementation method suggested to develop the creek segment is to raise the density and encourage redevelopment of the Shield block. She added that it is one of two blocks downtown that maintains a pedestrian core character. Removal of this really is bothersome to her.

Chair Lovitt said that he thinks to be more specific about the vision would be a good plan for the Committee.

Commissioner Maggio said that to get all to agree on a vision is very difficult. After the words for a vision are decided, she suggests that the town be looked at to see what does not fit the vision, instead of a blanket plan.

Commissioner Ateljevich said that all of illustrations showing opportunity sites were discarded and a request was made instead for a generic block that did not resemble a real block in Lafayette.

Commissioner Humann asked how they can get started on the track to develop the vision more specifically.

Commissioner Maggio said that she would challenge the committee who worked on the original vision to flush out exactly what is meant by "unique." She referred all to 3-1.

Chair Lovitt noted that 1-1 is a little different than 3-1. He stated it should be the same and that the vision should be stated at the front of the plan.

Commissioner Maggio said that there are a list of characteristics that can be associated with a small town, which can be found in planning textbooks and design books. She stated that although some of that language is in the plan, in the example of medium density, this is not the density of downtown, yet also not a suburb. The current density of 35 units per acre would be what she believes as a medium density, so then 60 units/acre and above would not be considered medium density. She would see that as not being small town feel. Another characteristic of small towns are greenways and she supports those, but also sees the problems with those as far as properties and property values. As far as informal gathering places, she thinks they need to be built into the downtown, but there is an issue as far as policing the areas.

Commissioner Mitchell stated that he agrees with Commissioner Maggio completely. He then added that when he looks at the schedule for the project he has some concern with the dates.

Ms. Srivatsa said that she believed that the dates were different now and that the comments from the commissions and the public would be reviewed by the Council on April 13, but she would need to check to be sure.

Commissioner Mitchell said that although he likes the idea of a strategic plan, he finds the schedule unrealistic and that he would like to see time allotted to putting the vision first. Commercial design review guidelines have been on the Commission

work plan for some time and there are 12 modifications to these listed in the specific plan. At the end of the meeting he is going to move to allow this process to slow down, as he believes at least five studies are called for in this report and should be done before any more conclusions are drawn.

Chair Lovitt stated that seems to be a consensus that a lot of work still needs to be done the specific plan and he would like to end the meeting where these concerns are presented in a strong way to the staff so they can be provided to the City Council. He added that a subcommittee to work on the vision, headed by Commissioner Maggio, might not be a bad idea.

Commissioner Curtin-Tinley asked if the vision is being changed, or the plan. She notes that if the vision is what the city wants it to be, then only the plan needs to change. If the plan is acceptable, then the vision needs to be changed.

Chair Lovitt stated that there seems to be a disagreement between the vision and the implementation. It seems that the implementation does not reflect what the vision is envisioned as, so it should be better defined.

Commissioner Curtin-Tinley stated that if "small town charm" was removed from the vision, it would match the plan, but as this would not be where the city wants to go, the plan should be changed. She asked for more explanation as to the maximum number of units that has been mentioned.

Ms. Srivatsa said that at this time there is no way to determine how many units are planned for downtown Lafayette because each parcel of land in there allows residential use with a land use permit. She stressed that is important to understand that what is done for a housing element update is not the same as what is done for a downtown plan. As a housing element simply expresses that there is enough capacity for the number provided by the State, only the potential capacity is shown. When an EIR is done, assumptions will be made as to what might be developed and this has not been done yet. From her standpoint she does not think that the amount of retail or commercial that will be built can be estimated. She thinks that the numbers that come up in discussions came from the background reports that were developed by consultants. A market analysis was done as to how much retail and commercial use Lafayette could accommodate given the market. The housing potential of around 1,000 units was produced in this same way. She again stressed that exactly how much cannot be answered.

Chair Lovitt said that there has to be something given to express what magnitude is being talked about in order to define the vision.

Ms. Srivatsa said that assumptions can be made using the information known, such as what has happened in the past and what the plan projects. Although this can be done, it is the private property owner who determines what is built on the property. The capacity to build up to 35 units to the acre has been available since the zoning ordinance was created. It is the market that dictates what is going to be built.

Commissioner Mitchell stated that he has the WRT memo from June 3, 2008 that provides basic numbers to work from. However, none of the data has been analyzed, in his opinion, and reflects what the community desires.

Commissioner Curtin-Tinley noted that Page 6-3, the street network plan, it lists new local streets. She asked if these were existing streets or new.

Ms. Srivatsa said that going from west to east, starting with the Town Center, there is a retail parking lot at the back whose alleyway was to be developed and connect all the way to Happy Valley Road.. Between Safeway and Whole Foods there is not currently a road, but people use that connection to drive to the freeway on ramp. The plan is stating that in the future, if that center completely redevelops then it would be good a create secondary street that would take the pressure off of Mt. Diablo Boulevard along which you can plan for some commercial uses with parking towards the freeway. The plan has not concluded on what the parking impacts are going to be. That will be studied in the EIR.

Chair Lovitt stated that in coming up with the plan there were opinions offered by professionals that the proposed development would not materially increase traffic in the downtown. He asked if that included the road that goes in front of Safeway. He wondered what the implications are if that road is never built.

Ms. Srivatsa stated that she did not have the answer to that, but stated that usually a plan is developed and then the environmental impacts are assessed.

Commissioner Ateljevich stated the plans for that road have been essentially taken out as it is believed that a developer would not want to put a road right through the middle of the property as it would limit flexibility.

Chair Lovitt requested that Commissioner Maggio begin with the clarification of the vision.

Commissioner Maggio said that she would be happy to set up a subcommittee and meet and work on some of the vision. She is concerned that the vision statement does not currently mean anything and is different throughout the report.

Commissioner Humann asked if the architecture is part of the vision.

Chair Lovitt said that he thinks that it is more about a sense of scale and impact.

Commissioner Maggio said that the general plan vision statement is where the new vision needs to begin.

Chair Lovitt asked the staff to inform the Council that the Commission wants a better defined vision statement for the proposed plan and that they will come up with a suggestion. He stated that Commissioners Maggio, Curtin-Tinley and Ateljevich will be in the subcommittee. He stated that they will work for two weeks. He then asked staff if at this point the Commission should work on implementation issues, as they are now redefining the vision.

Ms. Srivatsa stated that if the Council will look at the suggestion on April 13 there are two Planning Commissions before then. If the revised vision can be looked at during the March 19 meeting, there can be discussion and comments at the April 2 meeting. She does not think that the Council is expecting feedback from the Commission before April 13.

Commissioner Mitchell stated that the Mayor recently said that the Park Theatre is structurally not usable. If that is the case, then acting like it is usable is not appropriate.

Commissioner Ateljevich said that the cost estimate given by the experts on renovation is practically to tear it down and rebuild as it is in such poor shape. There is a large amount of support in the community to keep the theatre, so it is not completely off the table, but it has to be quantified.

Chair Lovitt added that the theatre is privately owned, so whether or not the building remains is not up to the city.

Commissioner Ateljevich agreed and said that a large part of the specific plan is based on the existence of that theatre, so it would change the focus of the whole area to lose it.

Commissioner Maggio stated that she does not want the specific plan to commit to that theatre plan, as no one is sure it will remain there, and if it does, if it will still be used as a theatre.

With the chair's permission, Ms. Srivatsa said that she would like to suggest that the Commissioners each give their opinion of what they think of downtown Lafayette so that the subcommission could take those thoughts into their deliberations.

Chair Lovitt agreed and directed Commissioner Mitchell to begin.

Commissioner Mitchell said that he would pull a lot of information out of the strategic plans for the Shield block and the BART block. He finds two major things troubling about the plan as it is currently stated. His first issue is that there is a lot of reliance

on people being out of their cars, yet it has not been demonstrated that people will do that. The second issue is the economist had stated at prior workshops and meetings that general plan modifications have to be made to encourage development downtown. In talking to other planners in other communities, he was told that if the land is entitled with increased benefits then the current owner derives the benefit of those changes, not the developer. It is a sort of self-perpetuating problem. It would be better, he believes, to come up with an overall strategy, but then deal with specific variations to the general plan in a more piecemeal manner as is done currently so that the benefits go to the developer. Steve Falk originally came up with the idea of doing the plan because people are currently coming to the city, not that additional incentives were needed.

Commissioner Ateljevich stated that exceptions have had to have been made for a lot of what has been developed over the last ten years.

Commissioner Humann asked Ms. Srivatsa if the information that Commissioner Mitchell provided was what she was looking for.

Ms. Srivatsa said she would like some more specifics of what each Commissioner likes about the downtown currently and even what they might like to see to add to the small town feel of Lafayette.

With this in mind, Commissioner Mitchell stated he would like to maintain a pedestrian scale. He would like to see the buildings stepped back to a second level on the south side because light comes in, which creates a light and airy feel. He would also like to maintain the spaces around buildings so that there are semi-public places for gathering. One of the things that he likes, and that he feels characterizes the city is the art and wine festival in September. It is a time to interact with neighbors and that is the type of thing that he would like to see incorporated, as well.

Commissioner Humann said he would also like to see the pedestrian scale, but as far as with height, he would like to balance that out so that people can continue to move to the city. He does not want his children to have to move elsewhere when they can afford a house if no additional housing is created in the city. He would like to see it be possible for the non-affluent to live in the town. As far as downtown, he stated that the architecture seems unremarkable and he would like to see some change there. He likes the look of the Park Hotel and La Fiesta Square, but the rest seems boring to him. As an example, he stated that the new Cheesecake Factory building in Walnut Creek is stunning and bold. He added that it is not really a fit for Lafayette, but even 50% of that kind of architecture and energy would be helpful.

Commissioner Curtin-Tinley said that she agrees that there needs to be more mixed-use housing in Lafayette. To make the city more pedestrian-friendly, she stated that buildings will have to be set back further. As the downtown is long, something will have to be worked out to accommodate that.

Chair Lovitt expressed that the market has changed and that the current environment is such that there are too many houses, as is reflected in market prices. He is not sure that new construction of housing downtown would end up being affordable at this time. He added that reconciling what the plan currently asks for, as to what the public seems to express will be an issue of the vision, as well. He opines if the downtown area is supposed to be for those in the area, or for all city residents. He states there is an assumption that a higher density downtown, BART and retail will all work together. As retail is not doing as well in this economy, he worries about the actuality of this. He thinks the risk is too great to bank on. As far as Mt. Diablo Boulevard is concerned, he agrees that the presence of cars is not attractive, but he is not sure that the answer is just to add buildings, as this takes away from the appearance in the area and is not what he thinks a small town should be. With the concept of residential over retail, he states that he is unaware of a developer who would create that. This was suggested in Lafayette Mercantile and it did not work. Lastly, the assumption of low traffic impacts with what is presented is not credible. He does not believe the studies that state that.

Commissioner Maggio said that she would like to determine what small town charm means and then try and tighten up some of the elements of the vision. For her, small town charm includes gathering places, human scale, medium density, and walking distance to shops. She would like to see not just retail and restaurants, but necessary services, such as banks and grocery stores that the community will actually use and do not have to travel outside of the community to access. Parking will be needed. As far as uniqueness, she would like to see a more specific word than "unique." As an example, with

architecture, it could be "architectural integrity" or "varied architecture." "Architectural diversity" instead of "unique" would be another option. As far as shops, more specificity as to the mix of retail and services would be helpful. She thinks that there are already a lot of wonderful things, but that the plan can address what is lacking when it is expressed differently than as it is written now.

Commissioner Mitchell added that in the downtown area there is still a space for landscaping and trees. The green aspect provides not only a comforting environment, but is also more environmentally sensitive, as well, as it is "more sustainable." He would also to see the architecture use more natural and organic-type textures, such as wood or stone, to incorporate detail.

Chair Lovitt then asked for a motion to appoint the subcommittee, as well as nominations. Commissioner Maggio gave the motion. She stated that the vision statement will be revisited and the subcommittee will come back to the Planning Commission in two weeks with a recommendation. This was seconded by Commissioner Mitchell, which was carried by unanimous consent. (6-0-0)

Commissioner Mitchell added that as far as the issue of commercial design guidelines, his argument is that the plan calls for a lot of specifics. In his talk with another planner, it was mentioned that instead of moving from a 10-foot setback to a zero setback, instead there is an average of 10-foot setbacks. This allows space for other things to occur. It is his opinion that the changes that are requested have not been worked out in detail and if design review guidelines were to be done, then experts could weigh in, and this could be done in a less hurried approach. He stated that there are a lot of ways to approach the setbacks and how they look. As far as a height change, he has not seen details as to the options that design review might come up with. He would like commercial design guidelines to deal with all of the specific changes that are made here so that is more in-depth thought into it. He would like to do see incorporating what the committee has come up with into the specific plan, as opposed to modifying the specific plan and then coming up with design standards and trying to back them into the specific plan.

Ms. Srivatsa confirmed that although the plan proposes 42.5 feet or evaluating from the BART platform, it is not fully explained as to what that means. Although that should be explained further, she thinks that the plan should dictate what the commercial design guidelines will look like. It should dictate how the zoning ordinance is to be amended and what changes should be made to parking regulations. The commercial design guidelines would draw guidance from the specific plan and draft guidelines to implement it. She agrees that more information should be provided as to what types of tools can be used to avoid a canyon-effect and more light is allowed for. The plan can suggest that those be incorporated into the commercial design guidelines.

Chair Lovitt expressed that he wants the Council to know that the Commission does not think that the plan is ready at this time. There is still work to be done at a basic level. As a Commission they are not yet prepared to make any recommendations, but do know that when they are ready they will be recommending major changes. He added that if the Council wants the Planning Commission to work on this, their deadlines may be at risk.

Ms. Srivatsa stated that she knew that April 13 was set as the date to evaluate the comments from all Commissions. She would ask that the next two meetings be used to diligently work the plan based on the vision that is developed. She added that if the Planning Commission is not ready with their recommendations by the end of the meeting on April 2, a message can be sent to the Council to ask for more time. As to the timeline, she confirmed that the Council set the schedule. Ms. Srivatsa then mentioned that the next DRC meeting, on April 10, was to be attended by Commissioner Ateljevich.

Commissioner Ateljevich confirmed that she was planning on attending.

Chair Lovitt asked for a motion to adjourn. The motion was given by Commissioner Ateljevich and was seconded by Commissioner Mitchell. It was carried with unanimous consent. (6-0-0)

ADJOURNMENT

Respectfully submitted,

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Amanda Fichter, Minute Taker

10:05 p.m.